Local Authorities Election Act

A Procedure Handbook

2001 Edition

PREFACE

The **Local Authorities Election Act**, Chapter L-27.5, Statutes of Alberta was assented to June 6, 1983. It provides a standardization of election procedures for all local authorities. Local authorities include Villages, Towns, Counties, Municipal Districts, School Boards and Hospital Districts. The latest consolidation of the **Local Authorities Election Act** available from the Queen's Printer includes amendments in force as of September 9, 1997.

This handbook has been developed to assist school boards in conducting an election. It is emphasized that this handbook is a reference guide only and must be used in all cases with the **School Act** and the **Local Authorities Election Act** to ensure knowledge of precise wording and content.

Whenever the **Act** directs a jurisdiction to contact or advise the relevant Minister or Deputy Minister, school boards should direct this communication through Governance and Program Delivery, Alberta Learning.

Inquiries regarding local authority elections may be directed to:

Governance and Program Delivery
Alberta Learning
6th Floor, Devonian Building
11160 Jasper Avenue
Edmonton, Alberta T5K 0L2
Phone: 427-7235

Local Government Services Advisory Branch
Alberta Municipal Affairs
17th Floor, Commerce Place
10155 - 102 Street
Edmonton, Alberta T5J 4L4
Phone: 427-2225

NOTE: All section references are to the **Local Authorities Election Act** unless otherwise indicated.

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IMPORTANT DATES TO REMEMBER

2001 General Election

Friday, August 3	Last day to order nomination forms.
Friday, August 17	Last day for an elected authority to pass a by-law requiring payment of a deposit by candidates (section 29).
Saturday, September 8	Last day to advertise 1st notice of nomination day (section 26).
Saturday, September 15	Last day to advertise 2nd notice of nomination day (section 26).
Monday, September 17	Nomination day (section 25).
Tuesday, September 18	Order election materials.
Friday, October 5	Last day to publish notice of advance poll (section 74).
Saturday, October 6	Last day to publish 1st election notice (section 35).
Saturday, October 13	Last day to publish 2nd election notice (section 35).
Saturday, October 13	Last day for holding advance poll (section 73).
Monday, October 15	Election day (section 10).
Wednesday, October 17	Last day for candidate to request a returning officer to recount ballots (section 98).
Friday, October 19	The returning officer shall declare the election results at noon (section 97).
Friday, November 2	Last day for an elector to request a judicial recount (section 103).
Monday, November 12	Last day for school board to hold an organizational meeting (section 48 - **School Act**).
Monday, December 3	Election material shall be destroyed unless otherwise ordered by a judge (section 101).

AUGUST **2001**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3 / Order nomination forms	4
5	6	7	8	9	10	11
12	13	14	15	16	17 / Last day to acquire candidates' deposit	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

SEPTEMBER **2001**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8 / *Last day to publish 1st notice of nomination day
9	10	11	12	13	14	15 / *Last day to publish 2nd notice of nomination day
16	17 / Nomination day	18 / Order election materials	19	20	21	22
23	24	25	26	27	28	29
30						

*** Major Change**

OCTOBER **2001**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5 / Last day to give notice of Advance Poll	6 / Last day to publish 1st Election Notice
7	8	9	10	11	12	13 / Last day to hold Advance Poll Last day to publish 2nd Election Notice
14	15 / Election Day	16	17 / Last day for Candidate to request Recount by Returning Officer	18	19 / Returning Officer Declares Election Results at Noon	20
21	22	23	24	25	26	27
28	29	30	31			

NOVEMBER **2001**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2 / Last day for an Elector to request a Judicial Recount	3
4	5	6	7	8	9	10
11	12 / Last day to hold Organizational Meeting	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

DECEMBER **2001**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 / Destroy Election Materials	4	5	6	7	8

IMPORTANT ISSUES TO BE CONSIDERED IN SCHOOL TRUSTEE ELECTIONS

Residency
When talking about residents one should consider residents in two distinct dimensions. One dimension is physical resident, that is a resident who physically resides in the geographical area contained in the school jurisdiction. The second dimension is a resident as defined by section 27 of the **School Act**.

Section 47
This section addresses the physical residence. As a qualification to vote this section states a person shall be resident in the area on election day.

Section 21
As a qualification to seek office as a trustee a candidate must have been a resident of the local jurisdiction and ward if any (except in the case of school districts in cities) for the six (6) consecutive months immediately preceding nomination day. As in the case of voting, the candidate must satisfy both the physical residence and the residency as defined in section 27 of the **School Act**.

Section 48
This section defines physical residence. It states a person may have only one place of residence and it is the place where he lives and sleeps and to which, when he is absent, he intends to return. This section was amended effective June 18,1997 to provide that the resident of a student residing away from home is deemed to be the residence of the family members with whom the student normally resides.

Section 27 - School Act
This section states where a separate school district is established an individual residing within the boundaries of the separate school district who is of the same faith as those who established the district is a resident of the separate school district and is not a resident of the public school district.

Voting Register
The voting register is the form used by an elector to make a statement of eligibility to vote in the election. It outlines the criteria that must be satisfied by all prospective voters. It also requires that where applicable, a prospective voter indicate eligibility to vote for either a Public School Trustee or a Separate School Trustee.

Section 27 of the **School Act** sets out that where a separate school district is established an individual residing within the boundaries of the separate school district who is of the same faith as those who established that district, whether Protestant or Roman Catholic is a resident of the separate school district and is not a resident of the public school district. This section establishes that where a separate school district exists those persons who are of the same faith as those who established the separate district are eligible to vote for a separate school trustee. All others are eligible to vote for a public school trustee.

We define a Roman Catholic as a person who is in communion with the See of Rome. We define a Protestant as a Christian who is not a Roman Catholic. There is one Protestant separate school district in Alberta, located in the City of St. Albert; all other separate school systems are Roman Catholic.

In the City of St. Albert those persons of the Protestant faith are eligible to vote for a separate school trustee, all others are eligible to vote for a public school trustee. In all other areas of the province where a separate school system exists, those persons of the Roman Catholic faith are eligible to vote for a separate school trustee, all others are eligible to vote for a public school trustee.

Voting Register Overview

A separate school system always shares geographical area with a public school system. Persons living within that geographical area are only eligible to vote for a trustee of either the separate school system or the public school system. THEY ARE NOT ELIGIBLE TO VOTE FOR A TRUSTEE FOR BOTH SYSTEMS. Eligibility to vote for a trustee for a particular system is determined by faith as discussed above.

Electoral Structure

Elections are about governance and how we will choose our representatives. It is recognized that community input is an important component of education delivery. It is therefore important that there is an opportunity for community representation on the board of education of the school authority. Even in a single municipal governance structure such as a city, there may be different centers of community with a commonalty of interests. The **School Act** and the **Local Authorities Election Act** allow school authorities to design electoral structures that will best serve the demographic and geographical makeup of the education community it serves.

Section 225 of the **School Act** gives ability to school authorities to elect trustees at large, or by wards. When elections are at large, all persons residing anywhere in the total geographical area contained in the school authority vote for all candidates.

Wards subdivide the total geographical area of the school authority into smaller geographical units. Persons who reside in the geographical area of the ward vote for a candidate to represent that ward.

Also Section 225 of the **School Act** permits divisions and regional divisions to subdivide wards into electoral subdivisions. Electoral subdivisions further divide wards into smaller geographical units. Persons who reside in the geographical area of the electoral subdivision vote for a candidate to represent the electoral subdivision.

Section 36 of the **Local Authorities Election Act** requires that where wards or electoral subdivisions are established a person is only eligible to vote in the ward or electoral subdivisions in which they reside.

In addition to wards and electoral subdivisions, voting subdivisions may be established under section 36 of the **Local Authorities Election Act**. Voting subdivisions further divide the wards or electoral subdivisions in smaller geographical areas for the taking of votes.

Candidates for office (except in the case of cities) must reside in the ward or electoral subdivision they wish to represent. Candidates do not represent voting subdivisions.

Electoral Structure Overview

There is a common thread running through each electoral structure. The common thread is that electors and candidates (except candidates in the case of cities) must be physical residents and residents as defined under section 27 of the **School Act** in the school authority and the ward, electoral subdivision or voting subdivision (electors only) as the case may be. In addition candidates (except in cities) must be resident of the ward, or electoral subdivision six (6) months prior to nomination day (section 21 of the **Local Authorities Act**).

Special Tax Levy

Section 181.1(1) of the **School Act** provides that a board may by resolution at least sixty (60) days before election day in a year in which a general election will be held can hold a plebiscite to obtain approval of the electors of the district or division to impose a special tax levy. The latest date a resolution can be passed is August 19.

Section 181.1(2) of the **School Act** mandates that a board at least sixty (60) days before the board intends to consider a resolution shall give public notice of its intention to consider the resolution. The latest date that public notice can be given is June 19.

Special Tax Levy Overview

The section says the board will hold a plebiscite of the electors. Electors are those persons 18 years of age, Canadian citizens, resident in Alberta for six (6) consecutive months before the election and physical residents and residents as defined by section 27 of the **School Act**.

The ballot to be used for a plebiscite for a special school tax levy is set out in **Alberta Regulation 78/95 as amended by Alberta Regulation 59/98**. It simply asks an elector to indicate if they approve of the special school tax levy (yes or no).

If the plebiscite receives a yes vote from more than 50% of the electors voting on the Special Tax Levy, the Special Tax Levy will be imposed on the declared property contained within the geographical area governed by the school authority for education purposes.

Francophone Boards

Section 223.4 of the **School Act** sets out the qualification of electors and candidates in elections for Francophone boards. The section provide as follows:

For the purposes of the **School Act** and the **Local Authorities Election Act**, an individual is eligible to vote in an election of the members of a regional authority if,

(a) the individual,
  (i) is a Francophone,
  (ii) has a child who is a student enrolled in a school operated by the regional Authority,
  (iii) is 18 years of age or older,
  (iv) is a Canadian citizen, and
  (v) has been a resident of Alberta for the six (6) consecutive months immediately preceding election day.

For the purposes of this **School Act** and the **Local Authorities Election Act** and notwithstanding section 21 of the **Local Authorities Election Act**, an individual who may vote in an election of the members of a regional authority may nominate an individual as a candidate for election as a member of the regional authority.

For the purposes of this **School Act** and the **Local Authorities Election Act** an individual is eligible to be elected as a member of a regional authority if the individual,

(a) is 18 years of age or older,
(b) is a Canadian citizen, and
(c) has been resident of Alberta for the six (6) consecutive months immediately preceding nomination day.

A person who is eligible to vote in an election for a board other than a regional authority may exercise the right to vote in both elections.

A person may be a member of only one of a regional board, a board or a co-ordinating council at any one time.

Francophone Boards Overview

There are a couple of twists to this section. To qualify as an elector in addition to the regular requirements of age and residency, a person must have a child enrolled in a school operated by the regional authority. A person must also be Francophone. A Francophone is a person described under section 23 of the **Canadian Charter of Rights and Freedoms** as a person whose first language learned and still understood is

French or who received their primary instruction in French or who have children whose siblings have received their primary or secondary instruction in French in Canada. An elector does not have to reside in the area governed by the Francophone authority.

To qualify as a candidate, a person does not have to be a Francophone nor have a child enrolled in a school operated by the Francophone authority. A candidate does not have to reside in the area served by a Francophone authority. A candidate must be 18 years of age, a Canadian citizen and resident in Alberta for six (6) months preceding nomination day.

However, a candidate may only be nominated by an elector. An elector is a Francophone with a student enrolled in a school operated by a Francophone authority. (See previous page)

On March 23, 1998 Ministerial Order L129/98 was signed by the Minister of Municipal Affairs enacting **Alberta Regulation 59/98** which provides for changes to the existing forms enacted in 1995 in **Alberta Regulation 78/95**. Forms pertaining to the election of members of Francophone Regional Authorities are prescribed in the French language to allow regional authorities to conduct their elections in French. However, use of the recently amended English forms must be made if needed. All forms are found in the Appendix.

Freedom of Information and Protection of Privacy Act (FOIPP Act) Considerations

School boards, including Francophone Regional Authorities, as "local public bodies" are subject to the **FOIPP Act**. This **Act** requires that local public bodies (including municipalities), when collecting personal information as defined in section 1(1)(n) of the **FOIPP Act**, provide a specific notice to the individual whose information is being collected. Section 33(2) of the **FOIPP Act** requires that the notice include the following elements:

1. the specific legal authority for the collection of personal information,
2. the purpose of the collection, and
3. the title, address and phone number of a contact person who can answer any questions regarding the collection activity.

A school board that is responsible for conducting its own election process must provide for this notice, which may be posted in areas where nominations are taken and in voting stations.

A statement would read as follows:

> The personal information collected on these forms is being collected under the authority of the **Local Authorities Election Act** and will be used for
>
> _____
>
> (state purpose of the collection)
>
> It will be treated in accordance with the provisions of the **Freedom of Information and Protection of Privacy Act**. If you have any questions regarding this collection contact
>
> _____
>
> (title, business address, business telephone number of responsible official)

For further information/clarification, please get on touch with your jurisdiction's designated FOIPP coordinator.

PART 1 - ELECTION PROCEDURE

General Elections
Sections 8 and 9 - A general election is an election held for all the members of all elected authorities. They are held in three (3) year intervals with 2001 being a year of general elections.

Each member elected at a general election shall hold office for three (3) years from the time of the organizational meeting following the general election.

Returning Officer
Section 12 - The returning officer is responsible for running a local authority election. The secretary of each elected authority is the returning officer unless the elected authority passes a resolution appointing a person other than the secretary as the returning officer.

Deputy Returning Officer
Section 13 - The returning officer shall appoint Deputy Returning Officers. There shall be at least two Deputy Returning Officers at each voting station.

Presiding Deputy Returning Officer
Section 13 - The returning officer shall appoint one of the deputy returning officers referred to above as the presiding deputy officer who shall be in charge of the polling station.

Oath of Office
Section 16 - Before commencing any of their duties, the returning officer and all other election employees shall subscribe to an Oath of Office in the prescribed Form 1.

Election of Employees
Section 22 - Employees of school jurisdictions are not eligible to be nominated as a trustee. This restriction also applies to election employees and the external auditor. There have been changes to this section to allow municipal employees to run for municipal councils but the changes do not apply to school board employees.

By-Law or Question

Section 6 - If the **Local Authorities Election Act** or any other **Act** provides for the submission of a by-law or question to the electors or proprietary electors for their assent or approval, the by-law or question shall be submitted to a vote in accordance with the **Local Authorities Election Act**.

Nomination Day

Section 25 - Nomination day for each general election shall be four (4) weeks before the third Monday in October and for each by-election shall be as established by resolution of the elected authority.

Notice of Nomination

Section 26(1) - The returning officer shall give notice of nomination day in the prescribed form (Form 2) by publishing a notice at least once a week in each of the two (2) weeks prior to nomination day.

Qualifications of Candidates

Section 21 - Subject to the exceptions in sections 22, 23 and 24, to be eligible for nomination as a candidate, a person must on nomination day:

(a) be eligible to vote in the election in which he is a candidate,
(b) have been a resident of the local jurisdiction and the ward, if any, for six (6) consecutive months immediately preceding nomination day, and
(c) not be otherwise ineligible or disqualified.

Notwithstanding (1), a candidate for trustee of a board of a school district that is wholly or partly within the boundaries of a city is not required to be a resident of the ward in either a general election or a by-election, but must be a resident of the school district.

Form of Nomination

Section 27 - All nominations must be completed in the prescribed Form 3. The nomination must be signed by at least five (5) electors. The nominee must sign the oath that he is eligible to be elected to the office and that he will accept the office if elected. If a system of wards is in effect, only a resident of the ward for which the candidate is being nominated is eligible to sign the nomination form.

If a by-law has been passed providing for a deposit, a nomination paper is not valid unless it is accompanied by the deposit.

Receipt of Nominations

Section 28 - Nominations shall be received by the Returning Officer between the hours of 10:00 a.m. and 12:00 noon on nomination day. A by-law passed prior June 30 of a year in which an election is held may provide that nominations may be received earlier than 10:00 a.m. Also a similar by-law may provide that nominations can be accepted at a locations in addition to the jurisdiction office.

Nomination papers may be handed in by any person and not necessarily by candidates.

All nomination papers received may be examined by any elector during regular business hours and in the presence of the Returning Officer or Secretary.

Candidates Deposit

Section 29 - An elected authority may by by-law require that each candidate provide a cash deposit with the nomination. Such a by-law shall be passed not less than thirty (30) days before nomination day and shall establish the amount of deposit required which shall not be more than $500 for jurisdictions with a population of more than 100,000 persons and not more than $100 for all other jurisdictions.

Section 30 - The nomination paper shall not be accepted by the Returning Officer unless the correct cash deposit is submitted with the nomination paper.

The candidates' deposits will be returned to them except those who fail to receive at least half as many votes as are received by the candidate elected with the lowest number of votes. In such a case, the deposit is forfeited and becomes general revenue of the local jurisdiction for which the deposit was established.

Death of a Candidate

Section 33 - An elected authority may, by a by-law passed prior to nomination day, provide that in the event of the death of a candidate between nomination day and election day the election for the position for which the deceased candidate was nominated shall be discontinued and a new election shall be called in the same manner as any by-election.

Section 33(2) - If a candidate dies after being nominated and a by-law has not been passed under subsection (1), the returning officer shall cause a notice of the death to be posted at a conspicuous location in all the relevant voting stations.

Insufficient Nominations Received

Section 31(1) - If sufficient nominations to fill all vacancies are not received during the specified hours on nomination day, the time for receiving nominations shall be adjourned to the next day at the same place at 10:00 a.m. and shall remain open until 12:00 noon, and shall continue to be adjourned each day in the same manner until the

required number of candidates has been nominated or a period of six (6) days, including nomination day, but not including Saturdays, Sundays or Holidays has elapsed.

Section 31(2) - If at the end of the six (6) consecutive days, sufficient nominations are not received, the Secretary shall immediately notify the relevant Minister and await further advice.

Withdrawal of Nominations

Section 32 - If more than the required number of persons are nominated for any office, any person so nominated may withdraw his name as a candidate at any time within 24 hours after the close of the nomination period, except that if the number of nominations is reduced by withdrawals to be equal to the number of vacancies, no further withdrawals may be accepted and the balance of the candidates shall be declared elected by acclamation. All requests for withdrawals of nominations shall be submitted to the Returning Officer in writing.

Acclamations

Section 34 - If, at the close of nominations, the number of persons nominated for any office is equal to and does not exceed the number required to be elected, the Returning Officer shall declare the persons so nominated to be elected to the offices for which they were nominated. If this is the case, the Returning Officer shall forthwith notify the Secretary and the relevant Deputy Minister in writing of the persons so elected and the offices for which they were elected. If all positions are filled by this manner, this is the end of the election process. The Returning Officer shall then deliver the nomination forms and all other materials related to the nominations to the Secretary who is responsible for their safekeeping.

Notice of Election

Section 35 - If, after the expiration of the 24 hour withdrawal period, there remain more nominations than the number required to fill all the vacant positions, the Returning Officer shall declare that an election will be held and state the positions to be filled by election. The Returning Officer shall give notice of the election in the prescribed Form 4, or give notice of vote on a by-law or question in the prescribed Form 5.

Section 35(2) - If an election is required, the returning officer shall give notice of it in the prescribed form by publishing a notice at least once a week in each of the two (2) weeks before election day in a newspaper or other publication circulating in the area or by mailing or delivering a notice to every residence in the local jurisdiction at least two (2) weeks before election day.

Section 35(3) - On complying with subsection (2), the returning officer may publish, mail and deliver additional notices and give notice by any other method as many times as he considers appropriate.

Access to Apartments

Section 51 - This provision in the **Act** allows enumerators, candidates and campaign workers access to multiple family dwellings, apartments and mobile home parks. Any person desiring access to premises under this section shall be required to have identification indicating their position.

Indication of Eligibility to Vote

Section 52 - Every elector's name must appear on a voting list or make a statement they are eligible to vote in the election, before being given a ballot for voting.

Designation of Voting Places

Section 36 - The elected authority may by resolution divide the local jurisdiction into voting subdivisions or it may by resolution authorize the Returning Officer to establish voting subdivisions for the purpose of dividing the electors into smaller units to expedite the voting. If voting subdivisions are not so established then the area, ward or electoral subdivision, if any, is considered one (1) voting subdivision.

Section 37 - The Returning Officer shall designate the location of one (1) voting station only for each voting subdivision. Voting stations may be located outside of the local jurisdiction.

Notwithstanding section 37, the **Modified Voting Procedure Regulation** effective May 1, 1987 provides that the Returning Officer of an elected authority that has passed a by-law in accordance with section 161(2) of the **Act** may designate the locations of more than one (1) voting station for a voting subdivision.

Ballot Boxes

Section 39 - It is the responsibility of the Secretary to provide the Returning Officer with sufficient ballot boxes to contain the maximum number of all ballots that could be cast at each voting station.

Voting Machines

Section 84 - This is a provision for local authorities to use computers or other electronic voting machines. Local authorities using these must authorize their use by a by-law which prescribes the form of the ballot, directions for the marking of a ballot by an elector, and voting procedures for examination of ballots and counting of votes.

Printing of Ballots

Sections 41 and 42 - When it has been established that an election will be necessary, the Returning Officer shall forthwith arrange for the printing of a sufficient number of ballots. Separate ballots shall be used for each office for which an election will be held and the ballots shall be in the prescribed Form 6.

Ballots for voting on a question or by-law shall be in a form determined by resolution of the Local Authority.

NOTE: *It is absolutely imperative that sufficient ballots are printed so that no voting station could possibly run short.*

Eligibility to Vote

Sections 47 to 48, and section 27 of the **School Act** - In order to be able to vote, a person must first be qualified as an elector. Section 47 sets out the criteria of an elector as:

(a) is at least 18 years old,
(b) is a Canadian citizen, and
(c) has resided in Alberta for the six (6) consecutive months immediately preceding election day and is resident in the area on election day.

The criteria of residing in the area on election day can in some situations be difficult to interpret and has caused some debate in the past. Section 48 defines resident as follows:

(a) A person may have only one residence for the purposes of this **Act**.
(a.1) The residence of a person is the place where he lives and sleeps and to which, when he is absent, he intends to return.

Section 48(2) further states that a person who is a resident of a public school district or of a separate school district under the **School Act** is deemed to be a resident of the public school district or the separate school district as the case may be under this **Act.**

Section 27 of the **School Act** states that where a separate school district is established, an individual who resides within the boundaries of the separate school district who is of the same faith and those establishing that district, whether Protestant or Roman Catholic,

(a) is a resident of the separate school district, and
(b) is not a resident of the public school district.

Therefore, where a separate school district exists, the residents of the separate school district (that is those persons who resides within the boundaries of the separate school district and are of the same faith as those who established the separate school district) are electors of the separate school district and elect trustees to the separate school board. All others are electors of the public school district and elect trustees to the public board.

Rules of Voting

Section 57 - An elector may vote only once for each of the persons he chooses to vote for but shall not vote for more than the number of persons to be elected to the office. The number to be elected shall be recorded on each ballot. An elector may vote only once on any question or by-law.

Voting Time Off for Employees

Section 58 - Every employee who is an elector is entitled to have three (3) consecutive hours while the voting stations are open for the purpose of voting on election day. If the employee's normal hours terminate at 5:00 p.m., said employee would have three (3) consecutive hours in which to cast his vote. If his regular work hours do not provide this, any additional time that may be required to make up the three (3) hours must be given by the employer without any loss of pay or penalty imposed, but the additional time for voting shall be granted at the convenience of the employer. However, this will not apply if the employer makes arrangements for the employee electors to attend the voting station and return to work during the hours of his employment, nor does it apply to election employees who may get a certificate from the Returning Officer stating that they are eligible to vote at the station where they are employed or at an advance voting station.

Candidates Agents

Sections 69 and 70 - A candidate and not more than one agent of any candidate shall be permitted in the voting station at one time during the voting hours and the Deputy may designate a place or places from where they may observe the election procedure. The places chosen must be reasonable so that they may be able to observe the election procedure without interference. An agent must be a person who is at least 18 years old and shall subscribe to a statement in the prescribed Form 10.

Section 71 - Each agent must produce a written notice of appointment before being admitted as an agent to the voting station.

Section 85(2) - After the close of the voting station and during the counting of the votes, only a candidate or one agent of any candidate may be present in the voting station but not both.

By-Law or Question Agents

Section 70 - In a vote on a question or by-law, any two (2) electors may request the Returning Officer to appoint agents for promoting the by-law or voting on the affirmative on the question or to appoint agents for opposing the by-law or voting in the negative on a question and the Returning Officer shall appoint in writing such agents as are submitted by the electors. Each agent shall be a person who is at least 18 years old and shall subscribe to a declaration in the prescribed Form 10. Not more than one

agent for each side of the by-law or question shall be permitted to be present in the voting station at any one time.

Section 85(2) - Only one agent of either side of a vote on a by-law or question may be present in the voting station after the close of the voting stations and during the counting of the votes.

Posting Instructions

Section 45 - Each Deputy, before opening the voting station, shall ensure that a copy of "Instructions for Electors" in the prescribed Form 7, which includes section 116 and 117 of the **Act**, are posted in the voting station and in each voting compartment.

Opening of Voting Station

Section 46 - On election day, every voting station shall be opened promptly at 10:00 a.m. and be kept open continuously until 8:00 p.m. However, a local authority by way of a by-law passed prior to June 30 may provide that the voting station be opened prior to 10:00 a.m.

Sealing Ballot Boxes

Section 40 - Upon opening of the voting station, the Deputy shall open each ballot box and display them to the persons present so that they can see that the boxes are empty. He shall then seal each box in such a manner that it cannot be opened without breaking the seal.

Voting by Declaration

Section 52 - Each person who presents himself for voting shall subscribe to a statement stating that he is eligible to vote in that election. The statement is contained in the voting register form, which is prescribed Form 8. Upon signing the statement, the elector shall be given ballots for each position checked off in the voting register for which he is entitled to vote. If the person refuses to sign the statement, he shall not be given any ballots.

Objection to a Vote

Section 53 - If a candidate or agent objects to a person who makes a declaration the Deputy shall note in the voting register the reason for the objection and the name of the candidate or agent making the objection and shall initial the objection in the voting register.

Voting Register
Section 59 - The Deputy shall record in the voting register that an elector has received a ballot for each of the offices or questions for which he is entitled to vote. (Form 8)

Delivery of Ballot
Section 59 - When the Deputy is satisfied that the person is entitled to vote, he shall deliver to the elector ballots for each position that the elector is entitled to vote for as recorded in the voting register.

Ballot Control
Section 60 - Each ballot delivered shall be folded and initialed by the officer in a manner that the initial will be visible without opening the ballot.

Elector Declining to Vote
Section 66 - If an elector returns a ballot and states that he is declining to vote, the elector is not entitled to another ballot for that office, and the Deputy who is supervising at the ballot box shall deposit the declined ballot in the ballot box.

Explanation of Voting Procedure
Section 61 - The Deputy may, and on request shall, explain to the elector the proper method of voting.

Interpreter
Section 72 - If an elector does not understand the English language, he may have an interpreter to translate the statement and other documents or questions to assist in casting his ballot.

Before acting, each interpreter shall make a statement in the prescribed Form 11.

Advance Voting Stations
Section 73 - An elected authority may by resolution provide for holding an advance vote. The resolution shall state the days and hours when the advance vote will be held.

Section 74 - Notice of the advance vote shall be given in the prescribed Form 4:

(a) by publishing the notice at least one (1) week before the date set for the advance vote in a newspaper circulating in the area, or
(b) by posting the notice in at least four widely separated and conspicuous places in the voting subdivision at least one (1) week before the date set for the advance vote,

or by both of the above methods and as many additional times as the Returning Officer considers desirable.

Section 75 - A fresh ballot box must be used on each day of the advance vote.

Sections 76 and 77 - Every person applying to vote at an advance voting station shall be required to make a statement in the prescribed Form 12 to the effect that he would not be able to vote on election day. Ballot boxes used at an advance vote shall remain locked and sealed until after the close of the voting on election day and shall then be opened and the ballots counted. All other aspects of the advance vote shall be conducted in the same manner as a vote on election day.

Incapacitated Elector at the Voting Station

Section 78 - If an elector is unable to read or is incapacitated by blindness or other physical disability such that he cannot mark his ballot and if he takes an oral oath in the prescribed Form 11 to this effect, the Deputy may mark his ballot in the manner directed by him, or any other person appointed by the elector as an interpreter may make all translations required and may mark his ballot as directed by him. The interpreter or friend of the elector would be required to take an oath in the prescribed Form 11.

Incapacitated Voters at Home

Section 79 - An elected authority may by resolution provide for taking of votes at the place of residence of physically incapacitated electors who are unable to attend a regular or advance voting station. The resolution must establish:

(a) the method of advertising this provision,
(b) the form to be used for written requests to have a vote taken at home,
(c) the time for receiving such applications, and
(d) the hours during which such votes will be taken.

All other voting procedures shall as nearly as possible follow the provisions of the **Act**.

Institutional Voting Stations

Section 80 - An elected authority may establish by by-law passed prior to June 30 in a year in which an election is to be held where institutional voting stations if any, are to be established for the election.

Section 81 - If an institutional vote is provided for, the Returning Officer shall fix the times on election day at which such votes will be taken and make all other necessary arrangements.

Section 82 - Notice of such voting stations shall be given in the prescribed Form 4 and shall be posted in a conspicuous place in the institution not less than two (2) days before election day.

All voting procedures shall as nearly as possible follow the provisions of the **Act** except that candidates or agents are not entitled to be present at the voting. The ballot boxes shall not be opened until the close of the voting stations on election day.

PART II - PROCEDURE AFTER CLOSE OF VOTING STATION

Closing of Voting Station

Section 46 - Promptly at 8:00 p.m. on election day, the Deputy shall declare the voting station closed and any elector in the voting station who wishes to vote shall be permitted to do so but no other person shall be allowed to enter the voting station for that purpose.

Counting of Ballots

Section 85 - Immediately after the close of the voting station, a Deputy shall, in the presence of at least one and any additional deputies he considers necessary, and the candidates or their agents, if any, open each ballot box and proceed to count the votes. Only the candidate or his agent may be permitted in the voting station during the counting of the votes but not both at the same time.

Section 86(1) - The Deputy Returning Officer shall examine all the ballot papers and any ballot paper:

(a) that does not bear the initials of the officer,
(b) on which more votes are cast than an elector is entitled to cast,
(c) on which anything is written or marked by which an elector can be identified,
(d) that has been torn, defaced or otherwise dealt with by an elector so that he can thereby be identified,
(e) which is not marked by an "X", or
(f) on which no vote has been cast by an elector, is void and shall not be counted.

Section 86(2) - On the back of a ballot the Deputy shall endorse:

(a) "rejected" if he rejects it as void, and
(b) "rejection objected to" if any objection is made to his decision,

and shall initial each endorsement.

Section 86(3) - Notwithstanding subsection (1)(e), if a vote, though incorrectly marked on a ballot, clearly indicates for whom or what the elector intended to vote, the Deputy may count that ballot.

Section 87 - The Deputy shall in the prescribed Form 13 make note of any objection made by a candidate or his agent to any ballot paper found in the ballot box and shall decide any question arising out of the objection.

Every objection shall be numbered and a corresponding number shall be placed on the back of the ballot paper and initialed by the Deputy.

Counting of Ballots

Section 88(1) - The Deputy shall count the ballots marked for each candidate on the ballots not rejected and the presiding deputy shall prepare a ballot account in the prescribed form with the following information:

(a) the name of the local jurisdiction,
(b) the name or number of the voting subdivision and voting station,
(c) the date of the election,
(d) the number of each candidate and the number of valid ballots marked for each,
(e) the number of ballots supplied,
(f) the number of valid ballots,
(g) the number of valid ballots objected to,
(h) the number of rejected ballots,
(i) the number of ballots rejected because no vote was cast by an elector,
(j) the number of unused ballots,
(k) the number of spoiled ballots, and
(l) the number of ballots not accounted for.

Section 88(2) - In the case of a vote on a by-law or question, a deputy shall count the number of ballots marked for and against the by-law, or in the affirmative or in the negative on the question and the presiding deputy shall prepare a ballot account in the prescribed form with the following information:

(a) the name of the local jurisdiction,
(b) the name or number of the voting subdivision and voting station,
(c) the date of the election,
(e) the question or a description of the by-law and the number of valid ballots marked for the by-law or in the affirmative on the question,
(f) the question or a description of the by-law and the number of valid ballots marked against the by-law or in the negative on the question,
(g) the number of valid ballots objected to,
(h) the number of rejected ballots,
(i) the number of ballots rejected because no vote was cast by an elector,
(j) the number of unused ballots,
(k) the number of spoiled ballots, and
(l) the number of ballots not accounted for.

Ballot Accounts General

Section 89 - The ballot account shall be signed by at least two deputies. If a candidate or their agent present requests to sign the ballot, they are permitted to do so.

The Deputy, on being requested to do so, shall as soon as practicable provide a copy of the ballot account to persons authorized to sign the ballot account.

Deputy's Certification

Section 90 - The Presiding Deputy, at the close of the voting station, shall certify under his signature on the prescribed Form 9, in words, the number of persons who have voted at the voting station and place the signed certification on top of the completed voting register forms.

Packet of Ballots

Section 91(1) - At the completion of the counting of the ballots, the presiding deputy shall make up into separate packets:

(a) the valid ballots,
(b) the valid ballots objected to, together with the notes of objections made to the ballots found in the ballot box,
(c) the rejected ballots including those on which no vote has been cast by an elector,
(d) the spoiled ballots,
(e) the unused ballots, and
(f) the voting register together with the statement referred in subsection (2).

Section 91(2) - Immediately on completion of the count of ballots, the Deputy shall take an oath in the prescribed Form 9.

Sealing Ballot Packets

Section 92 - Each packet of ballots shall be sealed with the Deputy's seal and each packet shall be marked on the outside with:

(a) a short statement of the contents of the packet,
(b) the date of the election,
(c) the name of the Deputy, and
(d) the voting subdivision name or number.

Sealing Ballot Boxes

Section 93 - The Deputy shall then place all the packets containing ballots, the voting register forms, all oaths and declarations made on voting day and list of electors, if any, in the ballot box and the ballot box shall be closed and sealed with a Deputy's seal so that it cannot be opened without breaking the seal.

Delivery of Ballot Box and Ballot Account

Section 94 - The Presiding Deputy Returning Officer personally shall as soon as practicable deliver to the Returning Officer:

(a) the sealed ballot box containing the previously mentioned materials, and
(b) the ballot account made under section 88 of the **Act** (Form 14).

NOTE: *DO NOT put the Ballot Account into the ballot box. It must be delivered separately to the Returning Officer.*

Election Results
Section 95 - At any general election or by-election, the candidate or candidates receiving the highest number of votes shall be declared to be elected.

Unless another enactment provides otherwise, if more than 50% of the persons voting vote in favor of the by-law or affirmatively on the question, then the by-law or question is deemed to be assented to by the electors or proprietary electors.

Tie Vote
Section 99 - In the event of a tie vote and if necessary for determining which candidate is elected, the Returning Officer shall write the names of those candidates on a separate blank sheet of paper, shall deposit the sheets of paper in a receptacle and direct some person to withdraw one of the sheets. The person whose name appears on the sheet drawn shall be declared to have one more vote than the other candidate.

Declaration of Election Results
Section 97 - The Returning Officer may publish unofficial results of the counting of ballots after an election as the results are received from voting stations.

The Returning Officer shall at noon on the fourth (4) day after Election Day, at the office of the Local Jurisdiction, announce or post a statement of the results of the election and forward a signed copy of the statement to the Secretary and the relevant Deputy Minister. A suggested form for the Returning Officer's signed statement is included in the Appendix.

Recounts
Section 98 - The Returning Officer may make a recount if:

(a) a candidate or an agent within forty-four (44) hours of the closing of the voting shows reasonable grounds that the count is inaccurate or
(b) rejected ballots other than those on which no vote has been cast by an elector was sufficient to affect the result of the election if they had not been counted or rejected.

Section 102 - Other than during a recount by the Returning Officer, no person may inspect the contents of a ballot box in the custody of the Secretary except on order of a judge.

Section 103 - Within nineteen (19) days of the close of the voting stations any elector may apply to the court for a recount. A deposit of $300 is required.

Procedures relating to a judicial recount are outlined in sections 104 to 115.

Disposition of Election Materials

Section 101 - The Secretary, unless ordered by a judge, shall retain the ballot boxes with their seals unbroken for six (6) weeks from the date of voting and then shall destroy the contents in the presence of two witnesses who shall take affidavits that they witnessed the destruction. A suggested form for the affidavit of the witnesses is included in the Appendix.

Contraverted Elections

Sections 116 to 147 - This portion of the **Act** relates primarily to the matters of bribery, undue influence, allowable election expenses and the penalties relating to offenses to the **Act** in those regards.

These issues usually arise from challenges under judicial recounts but may be brought separately.

Offenses

Section 148 - No person shall:

(a) supply an unauthorized ballot to any person,
(b) fraudulently deposit a ballot,
(c) fraudulently remove a ballot from the voting station,
(d) interfere with a ballot box or packet of ballots,
(e) request a ballot in the name of some other person,
(f) vote more than once at the same election,
(g) vote knowing that he has no right to do so,
(h) shall make or sign a false statement for any purpose related to an election or vote held under this **Act**,
(i) print or distribute in any advertisement, handbook, placard, poster, circular, pamphlet, newspaper or other paper a form of ballot printed by the Returning Officer indicating it marked for a particular candidate(s),
(j) shall make or sign a false statement for any purpose related to an election or vote held or to be held under this **Act**.

For proper detail, see sections 148 to 159 of the **Act**. The **Act** also makes reference to offenses in other parts.

Part (6) of the **Act** defines the penalties relating to the above offenses and also provides for penalties for offenses under other portions of the **Act**. It is recommended that part of the **Act** as amended be reviewed carefully by the Returning Officer and other officials to ensure that they and the persons they advise are aware of the possible offenses under the Act and the level of penalties involved.

Regulations

Section 160 - The Lieutenant Governor in Council has the authority to make specific regulations under the **Act**. The Minister of Municipal Affairs may make regulations prescribing forms under the Act and respecting standards for ballot boxes.

DUTIES OF THE SECRETARY

Returning Officer
Section 12 - If the elected authority does not appoint a Returning Officer, then the Secretary is deemed to be the Returning Officer.

Oath of Office
Section 16 - The Secretary shall subscribe to the oath of office of Returning Officer if a Returning Officer is not appointed. (Form 1)

Information and Assistance
Section 19 - The Secretary shall provide assistance and information to the Returning Officer.

Custodian
Section 19 - The Secretary shall, on the voting results being declared or declaration of election by acclamation by the Returning Officer, take custody of all election materials and provide for their safe keeping and destruction.

Inspection of Nomination Papers
Section 34(3) - The nomination papers and other related material may be inspected by an elector during regular business hours in the presence of the Secretary.

Ballot Boxes
Section 39 - The Secretary shall provide sufficient ballot boxes to the Returning Officer.

List of Electors
Section 49 - The Secretary or the Returning Officer shall prepare a list of electors who are entitled to vote in an election, if directed to do so by a by-law of the elected authority.

Enumerator's
Section 50 - The Secretary or the Returning Officer shall appoint a sufficient number of enumerators, if authorized to do so by the elected authority.

Retention of Election Material
Section 101 - The Secretary shall, unless otherwise ordered by a judge, retain the ballot boxes with their seals unbroken for six (6) weeks from the date of voting.

Disposal of Election Material
Section 101 - The Secretary shall, after six (6) weeks from the date of voting, in the presence of two witnesses, destroy the contents of the ballot boxes unless otherwise ordered by a judge.

Inspection of Ballots
Section 102 - The Secretary shall not allow any person to inspect the contents of a ballot box in his custody except on an order of a judge.

Notice of Application - Judicial Recount
Section 104 - The Notice of Motion for a recount shall be served, by the applicant, on the Secretary.

Judicial Recount
Section 106 - The Secretary shall be present at a judicial recount.

Certification of Recount
Section 112 - The Secretary shall post a statement in his office declaring the result of a judicial recount.

Report on Bribery
Section 122 - The Secretary shall receive a report, from a judge, on any person found guilty of bribery or undue influence and the Secretary shall record the names of these people.

Production of Election Material
Section 134 - As Required by a Judge, the Secretary shall provide the judge with all election materials that the judge considers necessary.

Invalid Election
Section 138 - The Secretary has all the power to hold an election if a judge declares an election invalid and orders a new election.

Disclaimer (S.145)
Section 145 - The Secretary shall report the receipt of a disclaimer to the elected authority.

DUTIES OF RETURNING OFFICER

Appointment
Section 12 - The Returning Officer is appointed by resolution of the elected authority, or if the elected authority does not appoint the Returning Officer then the Secretary is deemed to be the Returning Officer.

General Duties
Section 13 - In addition to performing all other prescribed duties, a Returning Officer shall perform the duties set out in Section 13.

Oath of Office
Section 16 - The Returning Officer must subscribe to an oath of office prior to assuming his duties. (Form 1)

Administration of Oaths
Section 20 - The Returning Officer is authorized to administer the oath of office to a person making an oath that is authorized or required by this **Act.**

Substitute Election Official
Section 18 - The Returning Officer may appoint a substitute deputy, election clerk or constable if that election official becomes incapable of carrying out his duties.

Notice of Nomination Day
Section 26 - The Returning Officer shall give notice of nomination at least once a week in each of the two weeks prior to nomination day, in the prescribed form. (Form 2)

Nomination Day
Section 28 - The Returning Officer shall receive nominations at the local jurisdiction office between 10:00 a.m. and 12:00 noon on nomination day or prior to 10:00 a.m. if an enabling by-law is passed prior to June 30. (Form 3)

An elected authority may by by-law passed prior to June 30 provide that a Deputy Returning Officer can receive nominations at a location other than the jurisdiction office.

Deposit
Section 27 - The Returning Officer may not accept a nomination paper if it is not accompanied by a cash deposit if the elected authority, by by-law, requires that every nomination be accompanied by deposit in the amount fixed in the by-law.

Insufficient Nominations
Section 31 - If the Returning Officer does not receive sufficient nominations, nomination day shall stand adjourned until the next day at the same place between the hours of 10:00 a.m. and 12:00 noon and continue to be adjourned in the same manner from day to day, until the required number of nominations has been received or a period of six (6) days, including nomination day, but excluding Saturdays, Sundays and Holidays has elapsed.

Notify Relevant Minister
Section 31 - If the Returning Officer does not receive sufficient nominations when the six (6) day period has elapsed he shall immediately notify the Secretary who in turn shall notify the relevant Minister. (Via the Governance and Program Delivery Branch for school authorities.)

Withdrawal of Nominations
Section 32 - The Returning Officer shall accept written withdrawals from candidates, anytime within 24 hours after the close of the nomination period, if there are more candidates than there are positions to be filled.

If after one or more candidates have withdrawn, the number of remaining candidates does not exceed the number of vacancies to be filled, the Returning Officer shall refuse to accept further withdrawals.

Election by Acclamation
Section 34 - The Returning Officer shall declare those persons nominated to be elected if, at the close of nominations, the number of persons nominated is the same as the number required to be elected.

Report to Secretary
Section 34 - The Returning Officer, after having declared the candidates elected at the close of the nominations, shall notify the Secretary and the relevant Minister's Deputy Minister, in writing, of the persons so elected and the offices to which they were elected.

Delivery of Nomination Papers
Section 34 - The Returning Officer shall deliver the nomination papers and other materials relating to the receipt of nominations to the Secretary.

Declaration of Election
Section 35 - The Returning Officer shall, if after 24 hours from the closing of nominations there are more candidates that there are vacancies, declare that an election shall be held.

Notice of Election
Section 35 - The Returning Officer shall give notice of an election, in the prescribed form. (Form 4 or 5)

Voting Subdivisions
Section 36 - The Returning Officer, if authorized by resolution, may divide the local jurisdiction into voting subdivisions and may from time to time alter their boundaries prior to the notice of election.

Voting Stations
Section 37 - The Returning Officer shall designate the location of the voting station, and a location may be outside of the area. (The returning officer shall ensure that the voting station is available and properly furnished to accommodate an election.)

Voting Compartments
Section 38 - The Returning Officer shall ensure that each voting station is furnished with one or more voting compartments.

(a) Each voting compartment shall be arranged so that an elector is screened from observation and may mark his ballot without interference or interruption.
(b) Each voting compartment shall be provided with a table, desk or shelf with a hard surface and a black lead pencil or other suitable marking instrument.

Printing of Ballots
Section 41 - The Returning Officer shall cause a sufficient number of ballots to be printed, in the prescribed form. (Form 6)

List of Electors
Section 49 - The Returning Officer or Secretary shall prepare a list of electors who are entitled to vote in an election, if directed to do so by a by-law of the elected authority.

Appointment of Enumerators
Section 50 - If a by-law is passed directing preparation of a list of electors, the Returning Officer or Secretary shall appoint a sufficient number of enumerators and provide each enumerator with an identification badge.

Appointment of By-Law Agent
Section 70 - The Returning Officer shall appoint by-law agents to attend at the voting station to represent those persons interested in promoting the passing of the by-law or question and he shall appoint by-law agents to represent those persons interested in opposing the passage of the by-law or question, if requested in each case, to do so by two or more electors.

Notice of Advance Vote
Section 74 - The Returning Officer shall give notice of the time and place fixed for an advance vote as prescribed in Sections 35 and 74, if the election authority, by resolution, provides for the holding of an advance vote. (Form 4)

Advance Vote Stations
Section 75 - The Returning Officer shall establish the advance voting stations.

Incapacitated Elector At Home
Section 79 - The Returning Officer shall prepare a list of incapacitated electors that the Deputy may attend at the electors residence if the elected authority, by resolution, provides for the attendance of a deputy at the residence of the elector.

Institutional Voting - Time
Section 80 - The Returning Officer shall fix the times, on election day, at which the votes in the institution shall be taken, if an institutional vote is provided for.

Voting Station Supplies
Section 13 - The Returning Officer shall provide for the supply and delivery of ballots, ballot boxes, Instructions for Electors (Form 7), and other necessary supplies to all voting stations.

Delivery of Sealed Ballot Box
Section 94 - The Returning Officer shall, as soon as is practicable, after the closing of the voting stations, receive the ballot box from the Deputy.

Delivery of Ballot Account
Section 94 - The Returning Officer shall, as soon as is practicable, after the closing of the voting stations, receive the ballot account from the deputy.

Declaration of Results
Sections 96 and 97 - The Returning Officer shall declare the result of the voting at noon on the fourth (4th) day after the election. The Returning Officer may publish unofficial election results as the results are received from the voting stations.

Recount
Section 98 - The Returning Officer may make a recount if a candidate or an agent of a candidate recognized pursuant to section 69 disagrees with the ballot account and shows reason for this disagreement.

An application under this section may be made during the 44 hours immediately following the closing of the voting stations.

Equality of Votes
Section 99 - The Returning Officer, in the event that two or more candidates have received the same number of votes, shall deposit their names in a receptacle and direct a person to draw one name out of the receptacle. The returning officer shall declare the candidate, whose name appears on the withdrawn sheet, to have one more vote than the other candidate.

Delivery of Election Material
Section 100 - The Returning Officer shall deliver, to the Secretary, the sealed ballot boxes, the ballot account and the nomination papers as soon as practicable after the election.

DUTIES OF THE PRESIDING DEPUTY RETURNING OFFICER

Appointment of Deputy Presiding Returning Officer
Section 13 - There must be a minimum of two Deputy Returning Officers at each voting station, one of which must be designated as the Presiding Deputy Returning Officer. The Presiding Deputy is in charge of the voting station.

Certification of Ballot Account
Section 91 - The Presiding Deputy shall make up the ballots into the separate packets as specified in sections 91 and 92. The Presiding Deputy shall prepare and sign the certification of the ballot account. (Form 9)

Securing Election Documents
Section 93 - The Presiding Deputy shall place all the packets containing the ballots, the voting register, all statements made on voting day and list of electors, if any, in the ballot box and the ballot box shall be closed and sealed with a deputy's seal so that it cannot be opened without breaking the seal and marked on the outside with the voting station name or number.

Delivery of Ballot Account
Section 94 - The Presiding Deputy shall personally deliver the sealed ballot box and the ballot account to the Returning Officer.

Appointment of Constable
Section 15 - The Presiding Deputy may appoint a Constable, and may summon a police officer to maintain order at the voting station.

Instructions for Voters
Section 45 - The Presiding Deputy shall cause to be posted, in each voting compartment, Instructions for the Electors. (Form 7)

Counting of Votes
Section 86 - The Presiding Deputy shall, immediately after the closing of the voting station, open each ballot box and proceed to count the votes.

Certificate in Voting Register
Section 90 - The Presiding Deputy shall certify, on the prescribed Form 9, the number of persons who voted at the voting station and place the signed certification on top of the completed voting register forms.

Ballot Box
Section 93 - The Presiding Deputy shall place the ballot packets, voting register, all oaths and declarations, and list of electors, if any, in the ballot box and shall, after placing the election materials in the ballot box, lock and seal the box. **DO NOT** place the ballot account in the ballot box.

Delivery of Ballot Box/Ballot Account
Section 94 - The Presiding Deputy shall deliver the ballot box and the ballot account to the Returning Officer as soon as is practicable after the counting of the ballots.

DUTIES OF A DEPUTY RETURNING OFFICER

Oath of Office
Section 16 - The Deputy shall subscribe to an oath of office. (Form 1)

Substitute Deputy
Section 18 - The Returning Officer may in writing, appoint a substitute Deputy.

Administration of Oaths of Office
Section 20 - The Returning Officer, by virtue of his office, is authorized to administer an oath to a person making an oath that is authorized by this **Act.**

Locking of Ballot Boxes
Section 40 - The Deputy shall, immediately after opening the voting station, show each ballot box to the persons present at the voting station so that they can see that it is empty, lock and seal the ballot boxes and they shall remain locked and sealed during the hours of voting.

Closing of Voting Station
Section 46 - The Deputy shall declare the voting station closed promptly at 8:00 p.m.

Voting After Closing of Station
Section 46 - The Deputy shall allow those persons to vote that are in the voting station at the closing of the station and who wish to vote.

Notice of Objection
Section 53 - The Deputy shall note in the voting register and initial all objections to a person voting.

Recording of Ballots in Voting Register
Section 59 - The Deputy shall record on the voting register , the ballot for each office received by an elector.

Ballot to Elector
Section 60 - The Deputy shall ensure that all ballots are folded properly and initialed before they are handed to the elector.

Explanation to Elector
Section 61 - The Deputy may, and on request shall, explain to an elector as concisely as possible the proper method of voting in accordance with the Instructions for Electors. (Form 7)

Deposit Ballot in Ballot Box
Section 63 - The Deputy shall ensure that the appropriate initials are on the ballot prior to depositing it in the ballot box.

Spoiled Ballot
Section 65 - The Deputy may replace an inadvertently spoiled ballot. The spoiled ballot shall be so marked and preserved.

Recognition of Agent
Section 69(1.1) - The Deputy shall take a statement in the prescribed form from an agent.

Candidate's Agent
Section 69 - The Deputy shall not allow more than one agent present at any time in a voting station.

Interpreter
Section 72 - The Deputy may allow an interpreter to translate the statement and any other question necessary for the proper purposes of the election, after the interpreter has made a statement in the prescribed form. (Form 11)

Elector's Declaration - Advance Poll
Section 77 - The Deputy shall require all persons applying to vote at an advance voting station to make a statement in the prescribed form. (Form 12)

Incapacitated Elector - At Voting Station
Section 78 - The Deputy, when requested, shall mark the vote for an incapacitated elector. The Deputy, when requested, shall permit a friend of an incapacitated elector to mark the vote for the incapacitated elector.

Recording the Vote of an Incapacitated Elector
Section 78 - The Deputy shall cause to be entered in the voting register, opposite the name of the voter and in the appropriate column either "voter assistance" or "template".

Incapacitated Elector - At Home
Section 79 - The Deputy, when required to do so by resolution of an elected authority, shall attend at the home of an incapacitated elector.

Institutional Vote
Sections 80 and 81 - The Deputy, when required, shall attend at an institution for the purpose of taking the vote of electors confined to a hospital, nursing home, or resident in a senior citizens home or unit. The vote may be taken on the date established as the day of the advance vote or on election day.

Section 82 - The Deputy shall post a copy of the notice prescribed under section 35 in at least one conspicuous place in the institution not less than two days before the day on which the vote is to be taken.

Void Ballots
Section 86 - The Deputy shall endorse each void ballot.

Note of Objection
Section 87 - The Deputy shall, in the prescribed form make note of any objection to any ballot. (Form 13)

Ballot Account
Section 88 - The Deputy shall prepare a ballot account, in the prescribed form. (Form 14)

Signature - Ballot Account
Section 89 - At least two deputies involved with the count shall sign the ballot account.

DUTIES OF A CONSTABLE

Constable
Section 15 - A Constable is to maintain peace and order under the direction of the Presiding Deputy Returning Officer at the voting station, and may summon to his assistance in a voting station a police officer or any other person for the purpose of:

(a) maintaining order
(b) preserving the public peace
(c) preventing any breach of the public peace, or
(d) removing any person who is obstructing the voting or contravening this Act.

Oath of Office
Section 16 - The Constable shall subscribe to an oath of office prior to assuming his duties. (Form 1)

CANDIDATES AGENT

Appointment
Section 69 - A candidate may, by written notice, appoint an agent(s) to represent him at a voting station. The agent shall be at least 18 years of age.

Oath of Office
Section 69 - A candidate's agent shall make a statement in the prescribed form. (Form 10)

Attendance at Voting Station
Section 69 - Only one agent may be present at a voting station at any time.

Observe Election Procedures
Section 69 - The Deputy may designate the place or places where an agent may observe the election procedure.

Act or Thing
Section 69 - The non attendance of an agent at an act or thing at which he may attend, does not invalidate the act or thing provided the act or thing is otherwise properly done.

BY-LAW AGENT

Appointment
Section 70 - An agent(s) may be appointed, by the Returning Officer, if he is requested to do so, in writing, by two or more electors. The agent shall be at least 18 years of age.

Oath of Office
Section 70 - An agent shall make a statement in the prescribed form. (Form 10)

Attendance at Voting Station
Section 70 - Only one agent for each side of the bylaw or question may be in attendance at a voting station at one time.

Observe Election Procedures
Section 70 - The Returning Officer may designate the place or places, at a voting station where an agent may observe the conduct of the election.

Produce Certificate of Appointment
Section 70 - An agent shall produce a certificate of appointment before being admitted, as an agent, to a voting station.

Appendix

Election Forms

The Election Forms are available on our web site or can be obtained from:

Warren Young
Education Manager – Business Operations
Governance and Program Delivery
Phone: (780) 427-7235
Fax: (780) 427-5930
Email: warren.young@gov.ab.ca

Forms 1 - 16

Form 1

Oath of Returning Officer, Deputy, Enumerator, Constable

Local Authorities Election Act
(Section 16)

Local Jurisdiction: _____, Province of Alberta

Election Date: _____

I, _____ solemnly swear (affirm)
(Name of Person Taking Oath)

THAT I will diligently, faithfully and to the best of my ability execute according to law the office of

_____ .
(Office Appointed To)

THAT I will not communicate to any person any information obtained at an election or in the course of carrying out my duties as to the candidate or candidates for whom a person has voted, or at a vote on a bylaw or question, as to whether a person has voted for or against a bylaw or question.

THAT, where applicable, I will not communicate to any person any information obtained in the course of carrying out my duties as a returning officer, deputy, enumerator or constable.

THAT I will in all respects, maintain and aid in maintaining the absolute secrecy of the vote.

SWORN (AFFIRMED) before me)
)
at the_____of_____)
)
in the Province of Alberta)
)
this_____day of _____20__.)

_____
(Signature of Person Taking Oath)

_____
(Signature of Returning Officer or Commissioner for Oaths)

It Is An Offence To Sign A False Affidavit

Note: The personal information that is being collected under the authority of the *Local Authorities Election Act* will be used for the purposes under the Act. It is protected by the privacy provisions of the *Freedom of Information and Protection of Privacy Act.*

If you have any questions about the collection, contact _____
(Title and Business Phone Number of the Responsible Official)

MAFP 751(2001/01)

Form 2

Notice of Nomination Day

Local Authorities Election Act
(Section 26)

Local Jurisdiction: _____, Province of Alberta

Notice is hereby given that Nomination Day is _____ and that nominations
(Date)
for the election of candidates for the following offices will be received at the location of the local jurisdiction office set out below between the hours of _____ and 12:00 Noon on
(Start Time)
Nomination Day.

Office(s)	Number of Vacancies	Ward or Electoral Division Number (If Applicable)

Location (Address) of Local Jurisdiction Office:

_____

_____

_____

_____

DATED at the _____ of _____ in the

Province of Alberta, this _____ day of _____ 20_____.

_____
(Returning Officer)

MAFP 752 (2001/01)

Form 2 SV

Notice of Nomination Day For Summer Villages

Local Authorities Election Act
(Section 11, 26)

Local Jurisdiction: _____, Province of Alberta

Notice is hereby given that Nomination Day is _____ and that nominations
(Date)

for the election of candidates for the following offices will be between the hours of

_____ and _____ Noon at _____ .
(Location)

Office(s)	Number of Vacancies	Ward or Electoral Division Number (If Applicable)

DATED at the _____ of _____ in the

Province of Alberta, this _____ day of _____ 20_____.

_____
(Returning Officer)

MAFP 752A (2001/01)

Form 3

Nomination Paper and Candidate's Acceptance

Local Authorities Election Act
(Sections 11, 21, 22, 27, 47, 151)
School Act (Section 27(4))

Local Jurisdiction: _____ , Province of Alberta

We, the undersigned electors of _____; nominate
(Name of Local Jurisdiction)

_____ _____ of _____
(Candidate's Surname) (Given Names) (Street Address or Legal Land Description of the Candidate's Residence)

as a candidate at the election now about to be held for the office of _____
(Office Nominated For)

of _____ .
(Name of Local Jurisdiction)

Signatures of at least 5 Electors eligible to vote in this election in accordance with Sections 27 and 47 of the Local Authorities Election Act and Section 27(4) of the School Act (if applicable).

Printed Name of Elector	Street Address or Legal Land Description of Residence of Elector	Signature of Elector

Candidate's Acceptance

I, the above named candidate, solemnly swear (affirm):

- THAT I am eligible under Sections 21 and 47 (and Section 11, in the case of Summer Villages) of the *Local Authorities Election Act* and Section 27(4) of the *School Act* (if applicable) to be elected to the office; and
- THAT I am not otherwise disqualified under Section 22 of the *Local Authorities Election Act*; and
- THAT I will accept the office if elected; and
- THAT I have read Sections 11, 21, 22, 27, 47, and 151 of the *Local Authorities Election Act* and Section 27(4) of the *School Act* (if applicable) and understand their contents.

Print name as it should appear on the ballot:

_____ _____
(Candidate's Surname) (Given Names (may include nicknames, but not titles, ie., Mr. Mrs. Dr.))

SWORN (AFFIRMED) before me)
)
at the ____ of _____)
)
in the Province of Alberta)
)
this _____ day of _____ 20____.)

_____
(Candidate's Signature)

_____
(Signature of Returning Officer or Commissioner for Oaths)

It is an Offence to Sign a False Affidavit Or A Form That Contains a False Statement

Note: The personal information that is being collected under the authority of the *Local Authorities Election Act* will be used for the purposes under the Act. It is protected by the privacy provisions of the *Freedom of Information and Protection of Privacy Act*.

If you have any questions about the collection, contact: _____
(Title and Business Phone Number of the Responsible Official)

Form 4

Notice of Election

Local Authorities Election Act
(Sections 11, 35, 46)

Local Jurisdiction: _____, Province of Alberta

Notice is hereby given that an election will be held for the filling of the following offices:

Office(s)	Number of Vacancies	Ward or Electoral Division Number (If Applicable)

Voting will take place on the _____ day of _____ 20____, between the hours of _____ (Start Time) and _____ (Closing Time). Voting stations will be located at:

_____

_____

_____

_____

DATED at the _____ of _____ in the Province of Alberta, this _____ day of _____ 20____.

_____
(Returning Officer)

MAFP 754 (2001/01)

Form 5

Notice Of Vote On A Bylaw Or Question

Local Authorities Election Act
(Sections 6, 11, 35, 46)

Local Jurisdiction:_____, Province of Alberta

Notice is hereby given that a vote of the electors will be held on the following:

(Specify Bylaw or Question to be voted on:)

Voting will take place on the _____ day of _____ 20 _____, between the hours of _____ (Start Time) and _____ (Closing Time). Voting stations will be located at:

_____

_____

_____

_____

DATED at the _____ of _____ in the Province of Alberta, this _____ day of _____ 20 ____.

_____
(Returning Officer)

MAFP 755 (2001/01)

Form 6

Ballot

Local Authorities Election Act
(Sections 42,43,44)

Ballot Form for Chief Elected Official

Election of CEO
For the
(Local Jurisdiction)

(List Names of Candidates Below)

This ballot shall not be marked for more than one (1) candidate.

Ballot Form For Other Offices

Election of (Office)
For the (Local Jurisdiction)

(List Names of Candidates Below)

The maximum number of candidates that can be voted for is _____.
(Number)

Using Separate Ballots for Each Office

A separate ballot shall be used for:

- the office of chief elected official;
- the offices of councillors;
- the office of school trustee.

Ballot for a Vote on a Bylaw or Question

The wording on a ballot for a vote on a bylaw or question shall be determined by a resolution of the elected authority. The form of the ballot may be determined by a resolution of the elected authority, however, if no resolution is passed, the returning officer must determine the form.

Arranging the Names on the Ballots

The names of the candidates on each ballot must be arranged alphabetically in order of the surnames and, if 2 or more candidates have the same surname, the names of those candidates shall be arranged alphabetically in order of their given names.

If an elected authority passes a bylaw 2 months before an election that provides that ballots be printed in as many lots as there are candidates for the office, section 43(3) of the *Local Authorities Election Act* applies.

Indicate the Number of Candidates Who Can Be Voted For

Every ballot used in an election for a member of an elected authority must contain a brief explanatory note stating the maximum number of candidates who can be voted for in order not to make the ballot void and, every ballot used in an election for chief elected official must contain a brief explanatory note stating that the ballot shall not be marked for more than 1 candidate.

Form 7

Instructions For Electors

Local Authorities Election Act
(Section 45)

To Vote:

- Mark each ballot by placing an "X" in the space provided on the right hand side opposite the name of the candidate(s) of your choice. The ballot indicates the maximum number of candidates that can be voted for. You may vote for less than the maximum number, **but not for more**.

Examples of How to Mark Ballots

Ballot Form for the Election of Chief Elected Official (CEO)

Election of CEO For the (Local Jurisdiction)

(List Names of Candidates Below)

Name One	
Name Two	X
Name Three	

This ballot shall not be marked for more than one (1) candidate.

Ballot Form Other Than for the Election of the Chief Elected Official (CEO)

Election of (Office) For the (Local Jurisdiction)

Name One	
Name Two	X
Name Three	X
Name Four	
Name Five	X

The maximum number of candidates that can be voted for is three (3).

- Fold each ballot so that your markings are concealed and the initials of the deputy who issued the ballot(s) are visible.

After Marking Your Ballot(s):

- Hand the ballot(s) to the deputy supervising the ballot box. The deputy will deposit the ballot(s) in the ballot box.

- You have now completed the voting process. Please leave the voting station.

Bylaw or Question Ballot:

- In the case of a ballot for a bylaw or question, mark the ballot by placing an "X" opposite either "For" or "Against" or opposite either "Yes" or "No".

Spoiled Ballot(s):

- If you have marked your ballot in error, or defaced it in any way, you may return it and obtain a replacement from the deputy who gave it to you.

If a ballot is torn, defaced, or otherwise dealt with by an elector so that the elector can be identified, the ballot is void and shall not be counted.

- A Person May Only Vote Once -

It Is An Offence To Take A Ballot Out Of A Voting Station

Form 8

Voting Register

School Act (Section 223.4)
Local Authorities Election Act
(Sections 52 ,53 ,59 ,78)

The Regional Authority of _____ **Francophone Education Region No.**_____,

Province of Alberta

Election Date:_____

Voting Subdivision or Ward (If Applicable): _____ Voting Station: _____

Statement of Eligibility of Elector

I, _____ of _____
(Name of Elector) (Address of Elector)

am eligible to vote at the above mentioned election because:

- I have not voted before in this election;
- I am a Francophone;
- I have a child enrolled in a school operated by the above noted Regional authority;
- I am a Canadian citizen;
- I have resided in Alberta for the six (6) consecutive months immediately preceeding election day.

_____
(Signature of Elector)

It Is An Offence To Sign A False Statement

Objection to Person Voting	Name of Candidate/Agent Making Objection:	Deputy's Initials.
	Reason for Objection:	
Incapacitated Elector	Ballot of Incapacitated Elector Was Marked By Another Person (Check[✓]) ☐	
	Reason:	
Other		

Note: The personal information that is being collected under the authority of the *Local Authorities Election Act* will be used for the purposes under the Act. It is protected by the privacy provisions of the *Freedom of Information and Protection of Privacy Act*.

If you have any questions about the collection, contact: _____
(Title and Business Phone Number of the Responsible Official)

Form 8 SV

Voting Register For Summer Villages

Local Authorities Election Act
(Sections 11, 52, 53, 59, 78)

Local Jurisdiction: _____, Province of Alberta

Election Date: _____

Voting Subdivision or Ward (if applicable): _____ Voting Station: _____

Statement of Elector Eligibility

I, _____ of _____
(Name of Elector) (Address of Elector)

am eligible to vote at the above mentioned election because:

- I have not voted before in this election;
- I am 18 years of age or older;
- I am a Canadian Citizen;
- I am named on the tax roll as the person liable to pay property taxes for property within the Summer Village or the spouse of the person named;
  or
- I have resided in Alberta for the 6 consecutive months immediately preceding Election Day, and I am a resident of the Summer Village on Election Day.

_____
(Signature of Elector)

It Is An Offence To Sign A False Statement

Deputy Returning Officer

Voter Number: _____

Ballots Issued to Elector (Check[✓])

☐ Chief Elected Official ☐ Bylaw or Question

☐ Councillors

Objection to Person Voting	Name of Candidate/Agent Making Objection:	Deputy's Initials:
	Reason for Objection:	
Incapacitated Elector	Ballot of Incapacitated Elector Was Marked By Another Person: (Check[✓]) ☐	
	Reason:	
Other		

Note: The personal information that is being collected under the authority of the *Local Authorities Election Act* will be used for the purposes under the Act. It is protected by the privacy provisions of the *Freedom of Information and Protection of Privacy Act*.

If you have any questions about the collection, contact: _____
(Title and Business Phone Number of the Responsible Official)

Form 8 Supplementary

Voting Register

Local Authorities Election Act
(Sections 52,53,59,78)
School Act (Section 27(4))

Election and Appointment of Regional
Health Authority Members Regulation

Local Jurisdiction: _____, Province of Alberta

Election Date: _____

Voting Subdivision, Ward (if applicable) or Electoral District: _____ Voting Station: _____

Statement of Elector Eligibility

I, _____ of _____
(Name of Elector) (Address of Elector)

am eligible to vote at the above mentioned election because:

- I have not voted before in this election;
- I am 18 years of age or older;
- I am a Canadian Citizen;
- I have resided in Alberta for the 6 consecutive months immediately preceeding election day;
- I am a resident of the voting subdivision, ward or electoral district on election day; and
- I am eligible to vote for:

Where applicable: (Check[✓] One) ☐ A Public School Trustee
☐ A Separate School Trustee

_____
(Signature of Elector)

It Is An Offence To Sign A False Statement

Deputy Returning Officer

Voter Number: _____

Ballots Issued to Elector (Check[✓])

☐ Chief Elected Official
☐ Councillors
☐ Bylaw or Question
☐ Public School Trustee
☐ Separate School Trustee
☐ Regional Health Authority Member

Objection to Person Voting	Name of Candidate/Agent Making Objection:	Deputy's Initials:
	Reason for Objection:	
Incapacitated Elector	Ballot of Incapacitated Elector Was Marked By Another Person: (Check[✓]) ☐	
	Reason:	
Other		

Note: The personal information that is being collected under the authority of the *Local Authorities Election Act* and the *Regional Helath Authorities Act* will be used for the purposes under the Act. The information is protected by the privacy provisions of the *Freedom of Information and Protection of Privacy Act*.

If you have any questions about the collection, contact: _____
(Title and Business Phone Number of the Responsible Official)

MAFP 758RHA (2001/01)

Form 9

Presiding Deputy 's Certification and Statement on Completion of Ballot Count

Local Authorities Election Act
(Sections 90, 91)

Local Jurisdiction: _____, Province of Alberta

Election Date: _____

Voting Subdivision or Ward (if applicable): _____ Voting Station: _____

I, _____ certify that the number of persons who have
(Name of Presiding Deputy)

this day signed the voting register to vote at this voting station is _____ ,
(Figures)

_____
(Words)

and that to the best of my knowledge and belief the entries in the voting register, which are required by law to be made, were correctly made.

_____
(Signature of Presiding Deputy Returning Officer)

It Is An Offence To Sign A False Statement

MAFP 759(2001/01)

Form 10

Statement of Agent

Local Authorities Election Act
(Sections 69, 70)

Local Jurisdiction: _____, Province of Alberta

Date of Election (Or a Vote on a Bylaw or Question): _____

I, _____,
(Name of Agent)

of _____
(Street Address or Legal Land Description of the Residence of the Agent and the Mailing Address of the Agent)

in the Province of Alberta, am at least 18 years of age and,

(a) **For the purposes of an election,** will act as agent on behalf of

_____ for the office of _____
(Name of Candidate) (Office for which Candidate was Nominated)

OR

(b) **For the purposes of a vote on a bylaw,** will act as agent for those persons who are interested in

(Check [✓] One) ☐ **promoting** the passing of Bylaw No. _____

☐ **opposing** the passing of Bylaw No. _____

OR

(c) **For the purposes or a vote on a question,** will act as agent on behalf of those persons who are interested in

(Check [✓] One) ☐ voting in the **positive** on the question set out.

☐ voting in the **negative** on the question set out.

AND I will in all respects, maintain and aid in maintaining the absolute secrecy of the vote.

_____
(Signature of Agent)

It Is An Offence To Sign A False Statement

Note: The personal information that is being collected under the authority of the *Local Authorities Election Act* will be used for the purposes under the Act. It is protected by the privacy provisions of the *Freedom of Information and Protection of Privacy Act.*

If you have any questions about the collection, contact: _____
(Title and Business Phone Number of the Responsible Official)

MAFP 760 (2001/01)

Form 11

Statement of Interpreter, Incapacitated Elector, Friend of Incapacitated Elector

Local Authorities Election Act
(Sections 72,78)

Local Jurisdiction: _____, Province of Alberta

Election Date: _____

Voting Subdivision or Ward (if applicable): _____ Voting Station: _____

Statement of Interpreter

I, _____ of _____
(Name of Interpreter) (Address)

in the Province of Alberta, will faithfully translate such statements, questions and answers that the deputy returning officer may require to be translated at this election and I will keep secret all information which may come to me by virtue of being the interpreter for _____
(Name of Elector)

_____
(Signature of Interpreter)

Deputy's Initials

Statement of Incapacitated Elector

Verbal Statement

Are you _____ of _____
(Name of Incapacitated Elector) (Address)

in the Province of Alberta, unable to mark your ballot in the usual manner because you are unable to read or you require assistance because of blindness, or you require assistance because of a physical condition?

(Instruction to Deputy: Initial if the elector answers affirmatively to this question.)

Deputy's Initials

Statement of Friend of Incapacitated Elector

I, _____ of _____
(Name of Friend of Incapacitated Elector) (Address)

in the Province of Alberta, am the friend of _____ ,
(Name of Incapacitated Elector)

an incapacitated elector. I will read the ballot to my friend, mark the balloon accordance with the elector's instructions, and keep secret all information which may come to me by virtue of assisting the elector.

_____
(Signature of Friend of Incapacitated Elector)

Deputy's Initials

It Is An Offence To Make Or Sign A False Statement

Note: The personal information that is being collected under the authority of the *Local Authorities Election Act* will be used for the purposes under the Act. It is protected by the privacy provisions of the *Freedom of Information and Protection of Privacy Act.*

If you have any questions about the collection, contact: _____
(Title and Business Phone Number of the Responsible Official)

MAFP 761 (2001/01)

(File With Elector's Voting Register Form)

Form 12

Statement For Advance Vote

Local Authorities Election Act
(Sections 76,77)

Local Jurisdiction: _____, Province of Alberta

Election Date: _____

Voting Subdivision or Ward (if applicable): _____ Voting Station: _____

I, _____ of _____
(Name of Elector) (Address of Elector)

am eligible to vote at the above mentioned election and: (Check [✓])

☐ I have reason to believe that I will be absent from _____
(Name of Local Jurisdiction)
on election day as noted above, and unless I am permitted to vote prior to election day, I will be unable to cast my vote at this election.

☐ Because of physical disability, it will be impossible or extremely difficult to attend at the regular voting station and unless I am permitted to vote prior to election day, I will be unable to cast my vote at this election.

☐ Because I am a senior who lives in a senior's accommodation facility where an institutional voting station is established and I am unable to vote at the time established for the institutional vote and unless I am permitted to vote prior to election day, I will be unable to cast my vote at this election.

☐ Because of religious reasons I am unable to vote on election day and unless I am permitted to vote prior to election day, I will be unable to cast my vote at this election.

_____
(Signature of Elector)

It Is An Offence To Sign A False Statement

Note: The personal information that is being collected under the authority of the *Local Authorities Election Act* will be used for the purposes under the Act. It is protected by the privacy provisions of the *Freedom of Information and Protection of Privacy Act.*

If you have any questions about the collection, contact: _____
(Title and Business Phone Number of the Responsible Official)

Form 13

Note of Objection To A Ballot

for _____

(Name of Office, Bylaw or Question)

Local Authorities Election Act
(Section 87)

Local Jurisdiction: _____ , Province of Alberta

Election Date: _____

Voting Subdivision or Ward (if applicable): _____ Voting Station: _____

Objection Number	Name of Agent/Candidate Making Objection	Reason for Objection
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

Form 14

Ballot Account and Result of Vote

for _____
(Name of Office, Bylaw, or Question)

Local Authorities Election Act
(Sections 88, 89)

Local Jurisdiction: _____, Province of Alberta

Date of Election: _____

Voting Subdivision or Ward (if applicable): _____ Voting Station: _____

Result of Vote

Names of Candidates (or Question, or Description of Bylaw)	Number of Valid Ballots Marked for Each Candidate (or For and Against on a Question or Bylaw)

(Continue on Reverse if Required)

Ballot Account

(a) Number of Ballots Supplied _____

(b) Valid Ballots _____

Valid Ballots Objected To _____

(c) Rejected Ballots + _____

Rejected Ballots On Which No Vote Was Cast By An Elector _____

(d) Spoiled Ballots + _____

(e) Unused Ballots + _____

(f) Ballots Not Accounted For + _____

* *Total Ballots* = _____

*Total Ballots in (b), (d), (f), (g) and (h) must equal number in (a).

DATED this _____ day of _____, 20 _____.

(Signatures of at least 2 Deputies)

_____

_____

(Signatures of Candidates/Agents who desire to sign)

_____

_____

(Hand this form to the Returning Officer)

MAFP 764 (2001/01)

Form 15

Disclaimer Before A Complaint

Local Authorities Election Act
(Section 144)

Local Jurisdiction: _____ , Province of Alberta

I, _____ , solemnly swear (affirm)
(Name of Person Disclaiming)

that I disclaim all right to the office of _____ of

_____ and all defence of any right I may have to it.
(Name of Local Jurisdiction)

SWORN (AFFIRMED) before me)
)
at the _____ of _____)
)
in the Province of Alberta)
)
this _____ day of _____ 20___ .)

_____
(Signature of Person Taking Oath)

_____
(Signature of Returning Officer or Commissioner for Oaths)

It Is An Offence To Sign A False Affidavit

MAFP 765 (2001/01)

Form 16

Disclaimer After Motion

Local Authorities Election Act
(Section 143)

Local Jurisdiction: _____ , Province of Alberta

I, _____ , on whom notice of motion
(Name of Person Disclaiming)

in the nature of quo warranto has been served for the purpose of contesting my right

to the office of _____ of _____
(Name of Local Jurisdiction)

SWORN (AFFIRMED) before me)
)
at the _____ of _____)
)
in the Province of Alberta)
)
this _____ day of _____ 20___ .)

_____
(Signature of Person Taking Oath)

_____
(Signature of Returning Officer or Commissioner for Oaths)

It Is An Offence To Sign A False Affidavit

MAFP 766 (2001/01)

Francophone Forms

The Francophone Forms that were included with the printed version of this manual have been removed from the online document.

These forms are currently under review, and will be available on line in advance of the School Board Elections for the Francophone Regional Authorities when the review is complete.

LOCAL AUTHORITIES ELECTION FORMS

SCHEDULE 3

The following are the forms set out in this Schedule:

Form Number	Form Tile	In Respect of Section
3RA	Nomination Paper and Candidate's Acceptance	
	Local Authorities Election Act	22, 27, 151
	School Act	223.4
6RA	Ballot	42, 43, 44
8RA	Voting Register	
	Local Authorities Election Act	52, 53, 59, 78
	School Act	223.4

FORM 3RA

CANDIDATE'S ACCEPTANCE

School Act
(Section 223.4)
Local Authorities Election Act
(Sections 22,27,151)

THE _____ FRANCOPHONE EDUCATION REGION N°___
PROVINCE OF ALBERTA.

We, the undersigned electors of The _____ Francophone Education Region N° ____ nominate __(name of candidate)__ of __(address of candidate)__ as a candidate at the election about to be held for the office of _____ of the regional authority of _ _____ Francophone Education Region N° ___.

Signatures of at least 5 ELECTORS ELIGIBLE TO VOTE in this election in accordance with section 223.4 of the *School Act* and section 27 of the *Local Authorities Election Act*.

Printed Name of Elector	Address of Elector	Signature of Elector

CANDIDATE'S ACCEPTANCE

I, the said _____(Surname)_____(Given names)_____ named in the foregoing nomination, solemnly swear (affirm):

- THAT I am eligible under section 223.4 of the School Act;
- THAT I am not otherwise disqualified under section 223.4(5) of the *School Act* and section 22 of the *Local Authorities Election Act*;
- THAT I will accept the office if elected;
- THAT I have read section 223.4 of the *School Act* and sections 21,22,27,47 and 151 of the *Local Authorities Election Act* and understand their contents.

Print name as it should appear on the ballot

_____

(Candidate's Surname) (Given Names (may include nicknames, but not titles, i.e., Mr., Mrs., Dr.)

SWORN (AFFIRMED) before me)
at the _____ of _____)
in the Province of Alberta this)
_____ day of _____, 20___.) _____
(Candidate's Signature)

_____
(Signature of Returning Officer or Commissioner for Oaths)

IT IS AN OFFENCE TO SIGN A FALSE AFFIDAVIT OR A FORM THAT CONTAINS A FALSE STATEMENT

NOTE:
The personal information that is being collected under the authority of the *Local Authorities Election Act* and the *School Act* will be used for the purposes under those Acts. It is protected by the privacy provisions of the *Freedorn of Information and Protection of Privacy Act.*

If you have any questions about the collection, contact

(title and business phone number of the responsible official)

FORM 6RA

BALLOT
Local Authorities Election Act
(articles 42, 43, 44)

Ballot form for the office of member of a Regional Authority

ELECTION FOR THE MEMBER OF THE REGIONAL AUTHORITY OF _____ FRANCOPHONE EDUCATION REGION N° _	(List of names of candidates below) The maximum number of candidates that can be voted for is number

BALLOT FOR A VOTE ON A BYLAW OR QUESTION

The wording on a ballot for a vote on a bylaw or question must be determined by a resolution of the regional authority. The form of the ballot may be determined by a resolution of the regional authority, however if no resolution is passed the returning officer must determine the form.

ARRANGING THE NAMES ON THE BALLOTS

The names of the candidates on each ballot must be arranged alphabetically in order of the surnames and if 2 or more candidates have the same surname, the names of those candidates must be arranged alphabetically in order of their given names.

If a regional authority passes a bylaw 2 months before an election that provides that ballots be printed in as many lots as there are candidates for the office, section 43(3) of the Local *Authorities Act* applies.

INDICATING THE NUMBER OF CANDIDATES WHO CAN BE VOTED FOR

Every ballot used in an election for a member of a regional authority must contain a brief explanatory note stating the maximum number of candidates who can be voted for in order not to make the ballot void.

FORM 8RA

VOTING REGISTER

School Act (section 223.4)
Local Authorities Election Act
(sections 52, 53, 59, 78)

THE REGIONAL AUTHORITY OF _____
FRANCOPHONE EDUCATION REGION N° ___.

PROVINCE OF ALBERTA

ELECTION DATE: _____
VOTING SUBDIVISION OR WARD (If Applicable): _____
VOTING STATION: _____

STATEMENT OF ELECTOR ELIGIBILITY

I, (name of elector) of (address of elector) , am eligible to vote at the above mentioned election because:

- I have not voted before in this election;
- I am a Francophone;
- I have a child enrolled as a student in a school operated by the above noted Regional authority;
- I am a Canadian citizen;
- I have resided in Alberta for the six (6) consecutive months immediately preceding election day.

_____
Signature of Elector

IT IS AN OFFENCE TO SIGN A FALSE STATEMENT

OBJECTION TO PERSON VOTING	Name of candidate/agent making objection:	Deputy's Initials:
	Reason for objection:	
INCAPACITATED ELECTOR	Ballot for incapacitated elector was marked by another person: [Check(•)])	
	Reason:	
OTHER		

NOTE: The personal information that is being collected under the authority of the *Local Authorities Election Act* and the *School Act* will be used for the purposes under those Acts. It is protected by the privacy provisions of the *Freedom of Information and Protection of Privacy Act*. If you have any questions about the collection, contact (title and business phone number of the responsible official).

Forms A and B

Alberta
LEARNING

FORM A

Local Authorities Election Act section 97(4); School Act section 60.1

AUTHORITY NAME: _____

OFFICIAL ELECTION RESULTS

SUBDIVISION/ WARD NO.	NO. OF VOTES RECEIVED	ELECTED (E) ACCLAIMED (A)	NAME OF CANDIDATES AS APPEARED ON BALLET	MAILING ADDRESS OF ELECTED TRUSTEES	PHONE NUMBER(S)	FACSIMILE NUMBER(S)	EMAIL ADDRESS	INCUMBENT (I) NEW (N)	MALE (M) FEMALE (F)

I HEREBY CERTIFY THIS TO BE A TRUE STATEMENT
OF THE ELECTION HELD ON:

_____
DATE OF ELECTION

_____
SIGNATURE OF RETURNING OFFICER

Return to: Alberta Learning, Governance and Program Delivery, 6th Floor West Devonian Building, 11160 Jasper Ave, Edmonton AB, T5K 0L2

Alberta
LEARNING

FORM B
School Act, sections 48(1)(a), 49(1), 60.1

AUTHORITY NAME:

REPORT OF ORGANIZATIONAL MEETING

BOARD CHAIRMAN:

MAILING ADDRESS:

DELIVERY ADDRESS:

PHONE NUMBER:

FAX NUMBER:

EMAIL ADDRESS:

VICE CHAIRMAN:

MAILING ADDRESS:

DELIVERY ADDRESS:

PHONE NUMBER:

FAX NUMBER:

EMAIL ADDRESS:

I HEREBY CHERTIFY THIS TO BE A TRUCE STATEMENT
OF THE ORGANIZATIONAL MEETING HELD ON:

DATE OF ORGANIZATIONAL MEETING

SIGNATURE OF RETURNING OFFICER

Return to: Alberta Learning, Governance and Program Delivery Branch, 6th Floor Devonian Building, 11160 Jasper Avenue, Edmonton AB, T5K 0L2

Optional Forms 1 - 3

Optional Form 1

Authorization for Returning Officer, Deputy or Constable Voting At Assigned Station

Local Authorities Election Act
(Section 83(1))

Local Jurisdiction: _____, Province of Alberta

To Deputy Returning Officer

_____, having been duly authorized and appointed as an
(Name of Officer)

Officer in the Local Authorities Election on _____, is

authorized to cast his/her vote at an advance vote, and this shall be your authority for allowing

such vote to be cast.

_____
(Signature of Returning Officer)

Optional Form 2

Authorization for Returning Officer, Deputy or Constable Vote At An Advance Vote

Local Authorities Election Act
(Section 83(3), Section 83(3.1))

Local Jurisdiction: _____, Province of Alberta

To Deputy Returning Officer

_____, having been duly authorized and appointed as an
(Name of Officer)

Officer in the Local Authorities Election on _____, is

authorized to cast his/her vote at an advance vote, and this shall be your authority for allowing

such vote to be cast.

_____
(Signature of Returning Officer)

Optional Form 3

Affidavit Of Witness For Destruction Of Election Materials

Local Authorities Election Act
(Section 101)

I, _____, solemnly swear (affirm) that on

_____, I witnessed the destruction of the contents of the

ballot boxes used in the election held on _____, at the

_____ of _____.

I, _____, solemnly swear (affirm) that on

_____, I witnessed the destruction of the contents of the

ballot boxes used in the election held on _____, at the

_____ of _____.

SWORN (AFFIRMED) before me)
)
at the _____ of _____)
)
in the Province of Alberta)
)
this ____ day of _____, 20___.)

_____
(Signature of Person Taking Oath)

_____
(Signature of Person Taking Oath)

_____
(Signature of Commissioner for Oaths)

Regulations

REGULATION 144/2000

BALLOT BOX REGULATION
LOCAL AUTHORITIES ELECTION ACT
(EFFECTIVE JULY 18, 2000)

Definitions

1. In this regulation,

(a) "Act" means the Local Authorities Election Act;

(b) "tape" means tape with adhesive on one side and which is of sufficient strength that it cannot be removed from a cardboard ballot box without being cut or without defacing the cardboard ballot box;

(c) "seal" means a closure applied to a ballot box in accordance with the Act that must be broken to be opened.

Permanent ballot boxes

2. Each ballot box shall be made of durable material and constructed so that ballots can be deposited into the ballot box and cannot be withdrawn unless the ballot box is opened and the seal broken.

Cardboard ballot boxes

3. (1) An elected authority may use cardboard ballot boxes if each box

(a) is constructed of a minimum 175-pound text cardboard,

(b) meets the following minimum dimensions as set out in the Schedule:

(i) width, 22 centimeters;

(ii) length, 36 centimeters;

(iii) height, 36 centimeters;

(c) has four flaps at two ends, as set out in the Schedule, which meet or overlap when closed and taped, so as to prevent the removal of ballots unless the ballot box is opened by cutting the tape, and

(d) has one slot for the deposit of ballots, the width of which is 0.5 centimeter and the length of which is discretionary.

(2) A cardboard ballot box being used at an election must be closed and sealed by closing the flaps and placing a piece of tape over the entire adjoining edges and the ends of the closed flaps, such that the tape prevents the flaps from being opened without first cutting the tape.

Repeal

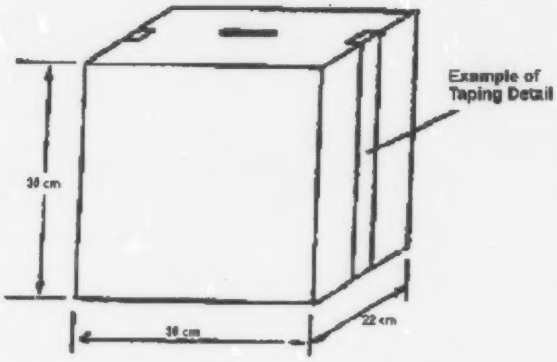
4. The Ballot Box Regulation (Alta. Re g. 271/91) is repealed.

Expiry

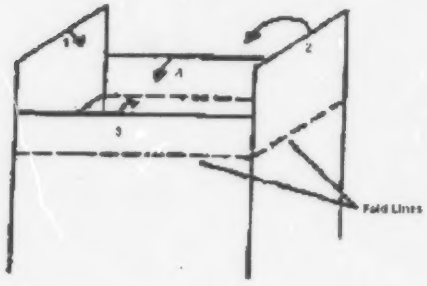
5. For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be re-passed in its present or an amended form following a review, this Regulation expires on October 31, 2003.

SCHEDULE
MINIMUM DIMENSIONS OF A CLOSED
CARDBOARD BALLOT BOX

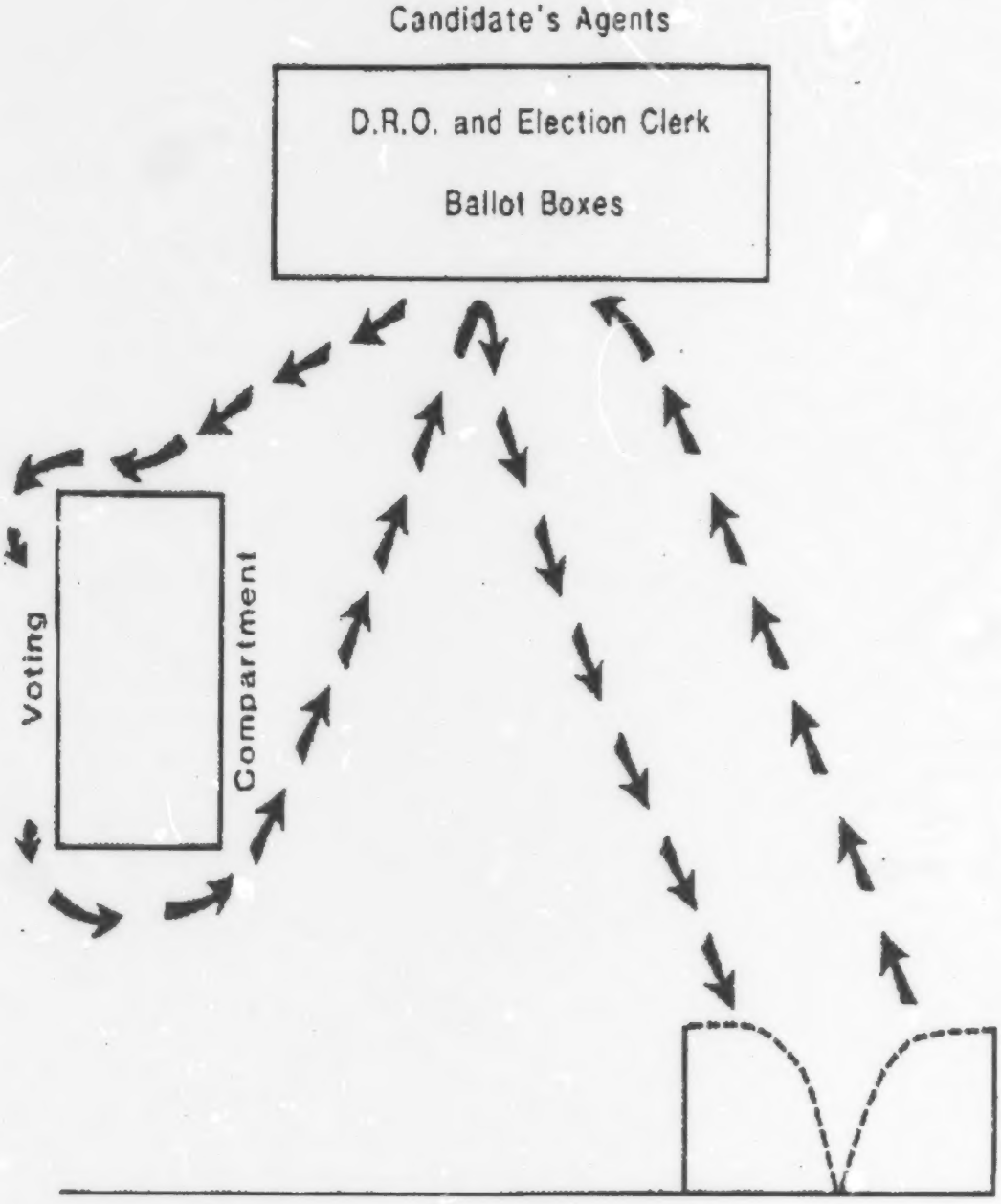
Slot location and slot length are discretionary.
Slot width is 0.5 centimetre.



END FLAP FOLDING DETAIL

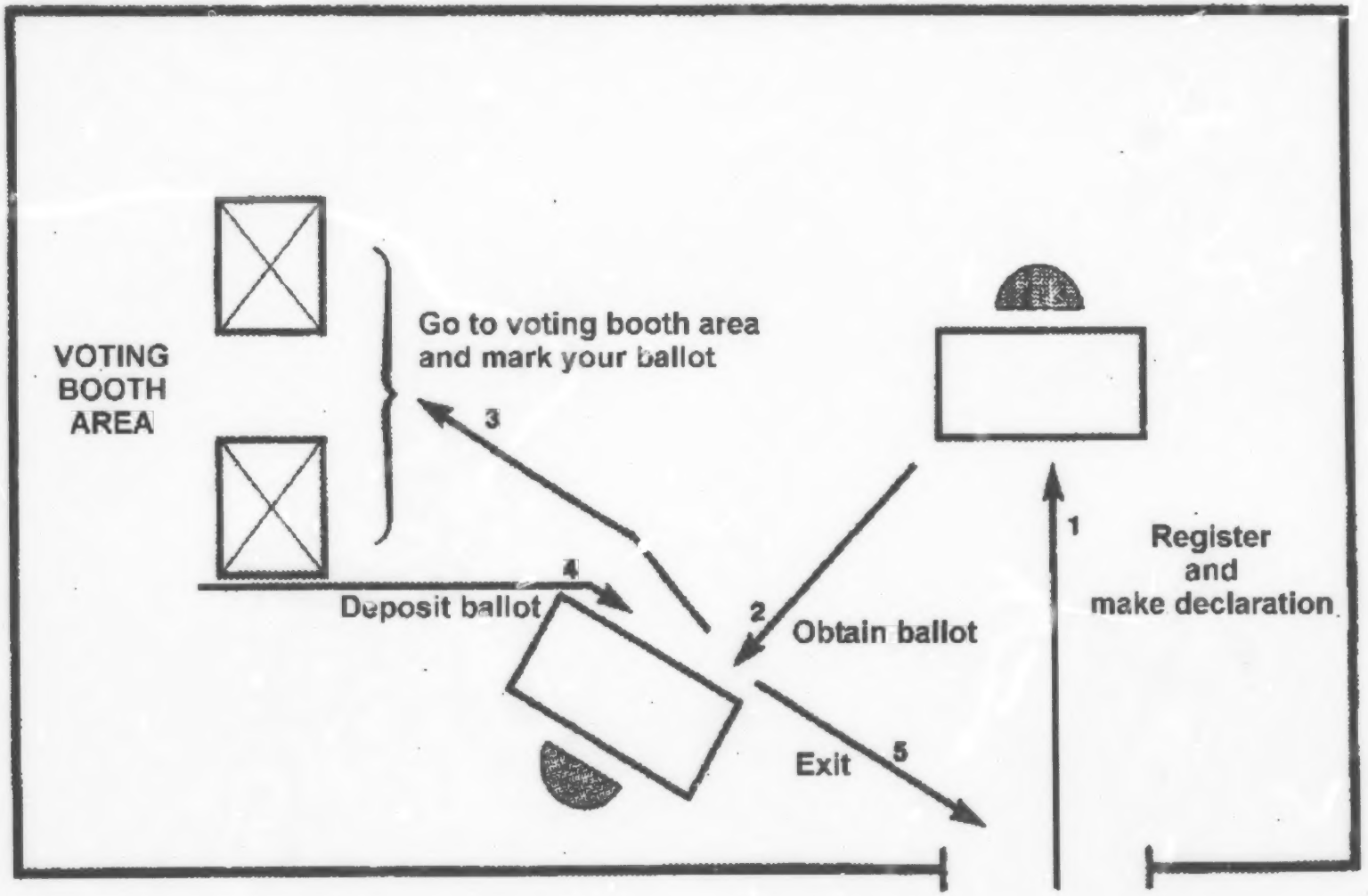


A SUGGESTED VOTING STATION ARRANGEMENT



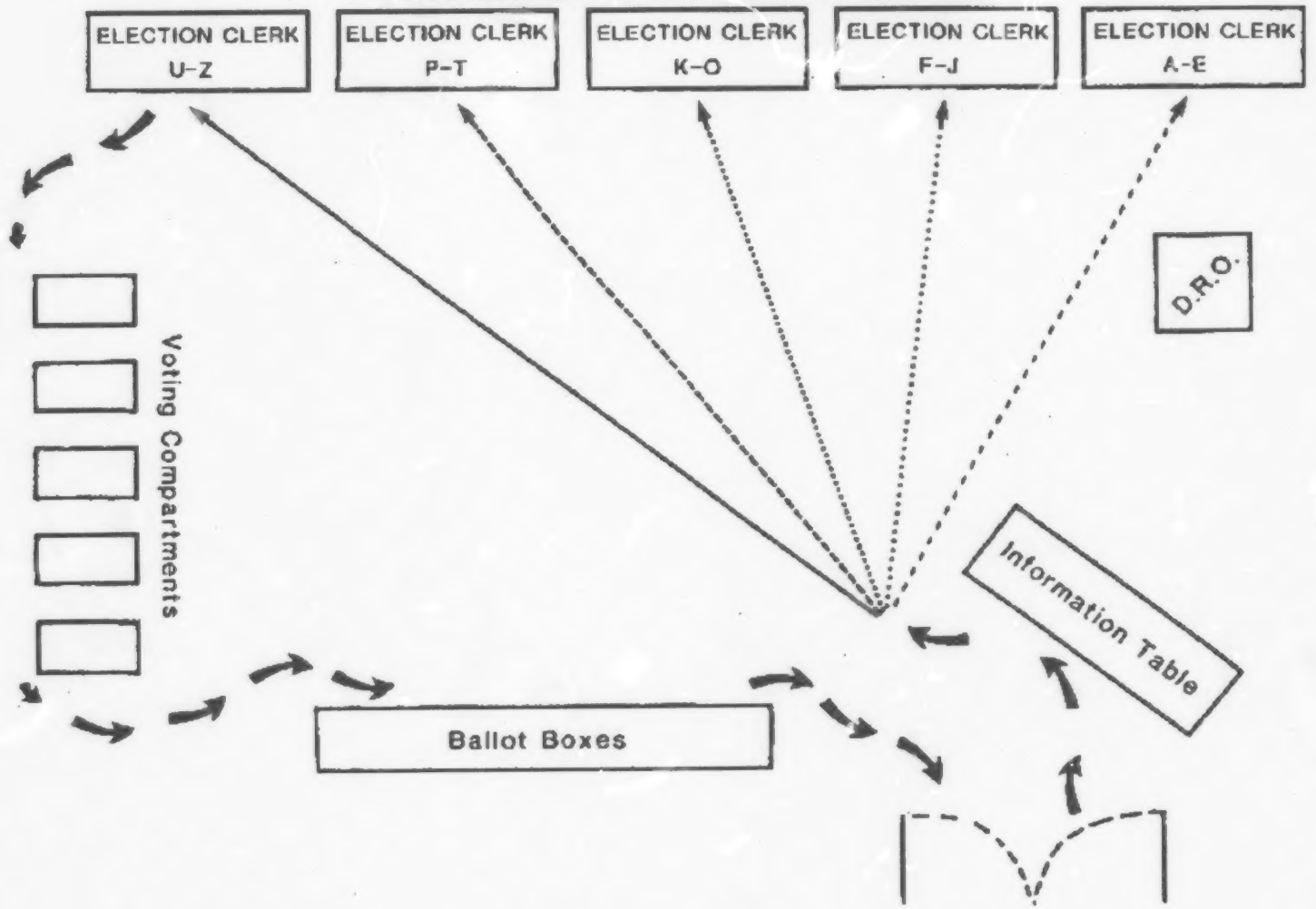
SMALL TO MEDIUM JURISDICTION

A SUGGESTED VOTING STATION ARRANGEMENT



SMALL TO MEDIUM JURISDICTION

A SUGGESTED VOTING STATION ARRANGEMENT



MEDIUM TO LARGE JURISDICTION

REGULATION 170/2000

MODIFIED VOTING PROCEDURE REGULATION
LOCAL AUTHORITIES ELECTION ACT
(EFFECTIVE AUGUST 9,2000)\

Designating Locations

1. Notwithstanding section 37 of the Local Authorities Election Act, the returning officer of an elected authority that has passed a by-law in accordance with section 161(2) of the Act may designate the locations of more than one voting station for a voting subdivision.

Appointing Deputies

2. Notwithstanding section 80(1)(a) and (2) of the Local Authorities Election Act, if an elected authority has passed a by-law in accordance with section 161(2) of the Act to define lodge accommodation as a home, including a self-contained housing unit, for the use of persons of advanced years who are not suffering from any chronic disease that incapacitates them and may or may not be capable of or desirous of maintaining their own housing accommodation, the returning officer may appoint the number of deputies that the returning officer considers necessary to take the votes of those persons on the day the advance vote is held and on election day.

Repeal

3. The Modified Voting Procedure Regulation (AR 123/87) is repealed.

Expiry

4. For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be re-passed in its present or an amended form following a review, this Regulation expires on October 31,2003.

Sample Forms for Modifying Voting Procedures

SAMPLE APPLICATION TO USE MODIFIED VOTING PROCEDURE

(Date)

Alberta Learning
Governance and Program Delivery
6th Floor, West Tower
Devonian Building
11160 Jasper Avenue
Edmonton, Alberta

Attention: Valerie Keates, Director

Dear Ms. Keates:

Re: Modified Voting Procedure

Please be advised that on _____(date)_____ the board passed the following resolution:

"Moved by Trustee _____(name)_____.

That whereas the **Local Authorities Election Act** permits the operation of only one voting station subdivision the ____(name of school authority)_ hereby applies to Alberta Learning for an Order authorizing the board of the __(name of the school authority)___ to pass a by-law permitting the Returning Officer to designate more than one voting station in a subdivision."

"Carried."

Accordingly, the board hereby applies for the necessary Ministerial Order authorizing the passing of a by-law to use the modified voting system established by **Alberta Regulation No. 170/2000**.

Sincerely,

_____
Secretary-Treasurer

SAMPLE BY-LAW TO ADOPT THE MODIFIED VOTING PROCEDURE

BY-LAW NO. _____

BEING A BY-LAW TO ADOPT A MODIFIED VOTING PROCEDURE

Pursuant to the provisions of the **Local Authorities Election Act**, Statues of Alberta, 1983, and the amendments thereto and under the authority of Ministerial Order No. _____, the Board of Trustees of _____ No. _____, the Province of Alberta, enacts as follows:

1. The Board of Trustees of _____ No. _____ hereby adopt the modified system of conducting an election as prescribed by **Alberta Regulation 170/2000**.

2. The modified voting procedure shall be used for the purpose of conducting elections pursuant to the provisions of the **Local Authorities Election Act.**

3. This by-law shall come into force and effect upon the date of the passing of the third and final reading.

Read a first, second and third time and finally passed this ___ day of _____, 2001.

_____
Chairman

_____
Secretary-Treasurer

Note: It is recommended that by-laws be prepared on legal size good quality bond paper.